

Challenges of Service Delivery in South Africa: A case study of Gert Sibande District Municipality (2004-2010)

By

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Declaration

I, **Sello Mukhari** declare that this thesis for the degree Doctor of Philosophy (PhD) at the University of Venda hereby submitted has not been submitted by me or any other person for a degree at this or any other University. This is my own work in design and execution and all material consulted and contained therein have been duly credited to their original authors.

Signed.....

Date.....

Dedication

To both my late father, Mr. Joel Mukhari and brother, Mr. Leonard Mukhari.

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List of Abbreviations

Abbreviation	Details
AIDS	Acquired Immune Deficiency Syndrome
ANC	African National Congress
APF	Anti Privatisation Forum
AR	Annual Report
CBO's	Community Based Organisations
CDW's	Community Development Workers
CG	Concerned Group
CLLRs	Councillors
COGTA	Cooperative Government and Traditional Affairs
COPRA	Concerned Ratepayers Association
CORPA	Concerned Ratepayers Association of South Africa
COSATU	Congress of South African Trade Unions
CPF	Community Policing Forum
CRDP	Comprehensive Rural Development Programme
DRDLR	Department of Rural Development and Land Reform
ESKOM	Electricity Supply Commission
GBH	Grievously Bodily Harm
GEAR	Growth Employment and Redistribution
HIV	Human Immunodeficiency Virus
HOD's	Heads of Departments
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDASA	Institute for Democracy in South Africa
IDP	Integrated Development Plan
IGR'S	Inter-Governmental Relations
IRISA	Independent Ratepayers Association of South Africa
KAP's	Key Performance Areas
LED	Local Economic Development
LG	Local Government
LGTA	Local Government and Traditional Affairs

MDG'S	Millennium Development Goals
MEC	Member of the Executive Council
MFMA	Municipal Finance Management Act
MICM	Municipal Institutional Capacity Model
MM	Municipal Manager
MMCs	Members of the Mayoral Committee
MRM	Moral Regeneration Movement
NA	National Assembly
NCOP	National Council of Provinces
NEC	National Executive Committee
NGO's	Non-Governmental Organisations
NP	National Party
OECD	Organisation for Economic Co-operation and Development
OLG	Organised Local Government
PLGA's	Provincial Local Government Associations
PMS	Performance Management System
PPP	Public Private Partnership
PR	Proportional Representation
RDP	Reconstruction and Development Programme
SA	South Africa
SACTU	South African Congress of Trade Unions
SALGA	South African Local Government Association
SANCO	South African National Civic Organisation
SANNC	South African Native National Congress
SANRAL	South African National Road Agency Limited
SAPS	South African Police Service
SARS	South African Revenue Services
SCM	Supply Chain Management
SECC	Soweto Crisis Committee
SWC	Single Window of Coordination
TAC	Treatment Action Campaign
USA	United States of America
WDR'S	World Development Reports

Abstract

Protests for basic services in South Africa are a relatively new phenomenon. Noticeably, they now happen almost on a daily basis. The manner in which they manifest is at times worrisome. Under the new political dispensation after 1994, South Africa has seen an unprecedented mushrooming of protests for services. Like other provinces across the country, Mpumalanga Province was also hit by the protests for services between 2004 and 2010. Since 2008, Gert Sibande District Municipality has experienced more intensified protests for service delivery, wherein communities were mobilized and marched to various local municipalities demanding improved services by these municipalities.

The study aimed to establish some of the sources of these protests, their trends and their impact with the view to propose some solutions. To achieve this goal, the study used document analysis and empirical data obtained through interviews. Firstly, the study provides a historical background and overview of the three municipalities which fall under Gert Sibande District Municipality, namely: Msukaligwa, Mkhondo and Dr. Pixley Ka Isaka Seme. It further investigates the causes of violent protests for services in these municipalities. Attention is given to various pieces of legislation that establishes Local Government in South Africa. The socio-economic conditions of the three municipalities are also examined.

The key findings from the interviews that were conducted pointed out factors that gave rise to the violent protests at the three municipalities. Amongst them was that the protests were politically motivated. Some were caused by lack of resource allocation and lack of human capacity to deliver services, lack of the political will by both the political and government representatives to deliver on their mandate, as well as the criminal elements that hijacked the protests. It is the mandate of government to deliver quality services to the people uninterrupted as prescribed by the Constitution. This will minimise the ongoing protest for services in the country.

Key Terms: Service Delivery, Protest, Municipalities, Local Government, Public Participation and Accountability.

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CHAPTER ONE

INTRODUCTION AND BACKGROUND

1.1. Introduction

The advent of a democratic system in South Africa in 1994 brought with it new change for the formally oppressed black South African population. Van der Walddt et al (2007, 17) points out that the new system ushered in a totally new focus on the government structures and functions of South Africa. The adoption of Act 108 of 1996, known as the Constitution of the Republic of South Africa afforded all South Africans (irrespective of race, colour, creed and sex) equal rights. The new dispensation also assisted in changing the governance structure and outlook of South Africa by introducing the three spheres of government i.e. National, Provincial and Local.

These events signalled the end of the National Party's (NP) unbroken forty-six years rule and marked an end to the notorious apartheid laws such as: the Native (Urban Areas) Act of 1923, Population Registration Act of 1950, and the Group Areas Act of 1950. These Acts prohibited black people from entering white local government areas except for labour purposes (Cameron, 1998:1; Du Toit et al, 2002: 58). According to Panell et al quoted in Venter et al (2007: 12), these Acts provided a statutory framework for apartheid cities and towns. Through these and other Acts, social classification and social stratification were entrenched and deeply ingrained.

Indeed, one effect of apartheid was that many people felt disempowered; they had no right and no ability to control their own lives and environment. It required time, and money for communities to gain confidence, experience and the capacity to organize (Bond, 1998: 69).

Chapter 7 of the new South African Constitution gave effect to the establishment of municipal boundaries maintaining that, "the local sphere of government consists of

municipalities, which must be established for the whole of the territory of the Republic” (Constitution of the Republic of South Africa). Indeed, this process was a step forward in the South African transformational agenda as well as an achievement presented by a democratic system. Wessels et al (2014: 51-52) note that transforming of the public sector was a key concept within the South African context in the build-up to democracy. It was identified long before it became the official policy of the new South African government in 1995.

Another milestone was the first Local Government elections organized in 1995, which brought into play a new local governance system. Cameron (1998: 1) states that in 1995, the elections took place in ‘seven of the country’s nine provinces. In May 1996 such elections were held in the Western Cape and in June 1996 they were held in Kwa-Zulu Natal. De Visser et al (2010: 5) are of the opinion that, Local government legislation establishes various organs within the municipality and broadly defines the functions of these organs. It also creates various instruments for accountability and oversight. Importantly, municipalities themselves must define the precise roles of their organs in delegations and terms of reference.

For the purpose of this study, the primary focus shall be on service delivery protests in one of the municipalities, i.e. Gert Sibande District Municipality. This Municipality is one of the three District Municipalities in Mpumalanga Province, situated in the eastern boundary of Mpumalanga and borders onto Swaziland in the east, Kwa-Zulu Natal in the south-east, Free State to the south-west and Gauteng to the west (See the attached map below).

Figure 1: A map of Gert Sibande District Municipality



Source: https://www.google.co.za/search?q=a+map+of+mkhondo+local+Municipality&biw=1138&bih=543&source=lnms&tbn=isch&sa=X&ved=0CAcQ_AUoAmoVChMI88n9hKnnxwIVBzwaCh3qdQPT#imgrc=A3vU42_if1rGIM%3A

This municipality falls under a Category C Municipality. A Category C municipality is 'A municipality that has municipal executive and legislative authority in an area that includes more than one municipality' (Municipal Structures Act of 2000:7; Constitution of the Republic of South Africa).

Gert Sibande District Municipality is comprised of an area approximately 31 842km², and covers the following local municipalities: Dipaleseng; Govan Mbeki; Msukaligwa; Lekwa; Chief Albert Luthuli; Pixley Ka Isaka Seme and Mkhondo (Gert Sibande District Municipality, <http://www.gsibande.gov.za>).

The District Municipality was named after Gert Sibande, affectionately known within the ranks of the African National Congress (ANC) as 'the Lion of the East. As a farm labourer in the Bethal district, Sibande emerged in the 1930s as an organiser among the rural farm workers, when he founded a farm workers' association and became an instrumental leader of the ANC (President Zuma's Speech, 2008).

The boycott organised by Sibande was a major success and it confirmed that African workers and consumers were prepared to sacrifice their lives and fight together to end the exploitation of their brothers and sisters in the rural areas. Gert Sibande was part of the movement and part of its leadership structures for many years, working side by side with leaders such as Chief Albert Luthuli, Moses Kotane and Moses Mabhida. He worked with the same dedication and commitment for both the ANC and SACTU (Ibid,;2008).

According the South African Survey 2008/9, it appears that Gert Sibande District Municipality has about 247 518 households. When the census was conducted, people with access to electricity stood at 79.8% during this time and the number of those with access to tap water stood at 91.9%. The district has about 14% of informal dwellings, and 12.2% of traditional dwellings. Govan Mbeki local municipality alone has the highest informal dwellings amongst the seven local municipalities in the district. It accounts for 25.7 percent (Kane-Berman, 2008/2009: 618).

1.2 Statement of the problem

Under the new political dispensation after 1994 South Africa has experienced a spate of service delivery protests. Mpumalanga Province was also hit by these protests

between 2004 and 2010. The focus of this study is on the three local municipalities namely; Mkhondo, Msukaligwa [Lekwa] and Dr. Pixley Ka Isaka Seme. All these municipalities fall within Gert Sibande District Municipality, which is one of the three District Municipalities found in Mpumalanga Province. These are: Ehlanzeni, Nkangala and Gert Sibande. In terms of service delivery protests, Ehlanzeni recorded 50%, which was the highest number. It was followed by Gert Sibande with 39% and then Nkangala with 11%. Amidst the high recorded service delivery protests recorded in Ehlanzeni, the protests in Gert Sibande turned more violent than in the two District Municipalities. Three of the seven local municipalities, namely: Mkhondo, Msukaligwa and Dr. Pixley Ka Isaka Seme were put under administration with the aim of attending to service delivery issues.

Since 2008, Gert Sibande District Municipality has experienced more intensified protests for service delivery, wherein communities were mobilized and marched to various local municipalities demanding improved service delivery. Out of the seven local municipalities within the Gert Sibande District Municipality, only five were affected by the violent protests for service delivery.

The situation turned worse as it spread to other districts in the province. There were a number of offences that occurred during the uprisings. They ranged from murder, arson, assaults – both common and those meant to cause Grievously Body Harm (GBH) to malicious damage to property. There are a number of reasons that were given by protestors as challenges which fuelled service delivery protests. Amongst them is that municipalities are failing to provide basic services to the people, corruption by municipal officials, and lack of communication by public representatives with the general population on services to be rendered to them.

The Gert Sibande District Municipality made some interventions in order to calm the situation. Among other things it instituted eight interventions of section 106 (1) (a) and/ or (b) of the Municipal Systems Act (32 of 2000) to three municipalities namely: Lekwa; Pixley ka Isaka Seme; and Mkhondo. These municipalities were placed under

curatorship in terms of section 139 (1) (b) of the Constitution of the Republic of South Africa, (Act No. 108 of 1996).

For the purpose of this study, attention will be on the three local municipalities. However, some challenges faced by other local municipalities within the Mpumalanga Province will serve as reference points to illuminate the findings made on the selected case studies.

1.3 Purpose of the study

The purpose of the study was to investigate the factors that gave rise to violent protests for services at the three local municipalities which fall under Gert Sibande District Municipality between 2004 and 2010. There has been an extensive literature written about the causes of violent protests for services in South Africa in general, but not focusing specifically on the three local municipalities. Both the print and electronic media have covered much on the subject matter from a general perspective or with specific reference to other areas across the country, not the ones covered here.

When the study was conceived, it was anticipated that it would be able to unearth the reasons that gave rise to violent service delivery protests. It was also hoped that the study would assist in deepening knowledge production academically in the field of violent protests for service delivery, specifically in Mpumalanga Province, but also in South Africa as a whole. Lastly, it was envisaged that the study would further assist in assessing the nature of protests in the three local municipalities and assist in providing efficient ways or practical solutions in resolving the deeper challenges surrounding violent service delivery protests.

1.4 Objectives of the study

The objectives of the study were:

- To identify factors that gave rise to violent service delivery protests in the three local municipalities within the Gert Sibande District Municipality;
- To identify a better communication strategy that is necessary between Public Representatives and the people at municipal level regarding service delivery issues;
- To find possible ways of resolving future service delivery protest in Gert Sibande District Municipality; and lastly
- To proffer ideas to other struggling municipalities on how they could address future service delivery protests.

1.5 Research questions

The following questions form the basis of the study's investigation:

- Which factors gave rise to violent services delivery protests at the three local municipalities (Mkhondo, Msukaligwa and Dr. Pixley Ka Isaka Seme)?
- What is the relationship between the delivery of services and violet protests?
- What has been the responsiveness of Gert Sibande District Municipality and GOGTA towards attending to the needs of communities and providing the required services? and
- Is there is a relationship which exits between communities and representatives of municipalities?

1.6 Justification/rationale/Significant of the Study

This study focuses on service delivery protests, with specific reference to the three local municipalities in Gert Sibande District Municipality between 2004 and 2010. The reason is that most of the service delivery protests took place between the periods stipulated above. Between 2008 and 2010, South Africa recorded more service delivery protests ever since the end of the apartheid system. Gert Sibande for example, recorded 39% of the service delivery protests, which was the highest since 2000.

The manner in which those protests for services took shape is not different to the tactics that were employed by the disadvantaged communities against the apartheid system. The burning of public institutions like libraries, clinics and community halls is still the same. The difference between the post-democratic service delivery protests and those that happened before 1994 is that community members are fighting the very same government that they voted into power in 1994 over lack of basic service delivery, whilst during the apartheid system the fight was genuine as it concerned the segregation of delivery of basic services along racial lines.

The other reason for conducting this study is that there has been limited information on the causal factors of protests for services and possible curative measures, more especially in the Gert Sibande District Municipality. Therefore, this study will assist in deepening knowledge in the field of service delivery protests with the view to proposing how such protests could be averted in future.

It is crucial for one to note that since 1994, there has been a wide range of scholarly materials on local government in South Africa. Authors such as: E. Peters, S.B Koma, P. Evans and M.H Kanyane have invested time and attention on issues such as institutionalizing and consolidating the South African Local Government. On the other hand, some have put emphasis on the legislation and policy that guide local

government e.g. Local Government Act of 2002, Municipal Systems Act of 2000, and Municipal Structures Act 1998.

The study sought to give an assessment of factors that gave rise to the service delivery protests in Gert Sibande District Municipality with special attention to local municipalities mentioned earlier, which operate within this District Municipality.

1.7 Definition of operational terms

This part deals with the main key concepts that are used in the study. The rationale behind this is to give the reader a clear understanding of the key concepts used. This is done through the use of words and examples in order to arrive at specific verbal definitions. The main key concepts that are utilised in this study are as follows: Service Delivery; Protest; Municipalities; Local Government; Public Participation and Accountability. However, not all of them will be defined in this section.

Service delivery in the South African context is a term commonly used to refer to services rendered by government to its communities through its three spheres of government i.e. National, Provincial and Local. Sections 76, 78 and 79 of the Municipal System Act of 2000, stipulate mechanisms and the criteria used to provide municipal services to the community.

Du Toit et al (2002: 88) claim that there is proof that service delivery to citizens originates thousands of years before the birth of Christ. They also provide examples to support their claims such as the fact that 'people were prepared to live in close proximity with others and to be subjected to a form of government body, as a result, this gave rise to service delivery'.

Hemson et al (2009; 155) argue that service delivery is an instrument used in the public sector to measure the capacity and performance of the state to deliver services to its people. It has been long recognized in South Africa's democratic

movement that human needs related to infrastructure, especially access to basic services such as water, sanitation, energy, housing, a clean environment, transport and communications are vital to many aspects of everyday life. These include women's status (at home and in society), to children's welfare, to personal and public health, to the natural environment, and to a better-balanced local and national and indeed international economy (Bond, 1998: 39).

According to Hemson and Owusu-Ampomah (2004: 511), 'in South Africa the definition certainly is more encompassing and includes not only the ability to provide users with services needed or demanded, but also a sense of redress; that the services should raise the standard of living of the majority and confirm their citizenship in the new South Africa'.

There is no official definition of Service delivery protests in the Oxford Dictionary. This concept gained popularity during the unrest for service protests, which were a common phenomenon in most South African provinces. This, however, does not limit the fact that one can coin a meaning of the concept as: a protest demand in the form of services by community members from their respective municipalities. These services could range from the followings: water supply, electricity connections, provision of RDP houses, employment opportunities, provision of proper sanitation, etc.

Local government as defined by Geldenhys (1996: 16-18) is 'a decentralised representative institution with general and specific powers devolved on it in respect of an identified restricted geographical area within a state'. Further, local government can be accepted as being 'a specific structure, which is strong enough to provide several local goods and services'. Geldenhys (1996: 18) went further to state that;

- Local government can be described as a cherished tradition which can be in total opposition to the elected democratic principles;
- Local government can be justified as a form of political education and as a unique setting for fraternity; and

- Local government may be seen as an essential instrument to allow the individual to voice his or her needs.

Brynard (1996: 139) is of the opinion that, 'local government is local democracy'. It is by its nature that it provides the opportunity for local people to be directly involved; it remains difficult to generalize about its values as a means of obtaining popular participation in planning'.

The words *protest* and *demonstration* are used interchangeably but for this study, the word protest will be used throughout. Wikipedia refers to protest as, 'an action by a mass group or collection of groups of people in favor of a political or other cause; it normally consists of walking in a mass march formation and either beginning with or meeting at a designated endpoint, or rally, to hear speakers. Actions such as blockades and sit-ins may also at times be referred to as demonstrations' (http://en.wikipedia.org/wiki/Demonstration_people).

Protests can be used to show a viewpoint (either positive or negative) regarding a public issue, especially relating to a perceived grievance or social injustice. A protest is usually considered more successful if more people participate in it (Ibid).

It is crucial to note that not all protests are peaceful, some are unpredictable; they have the potential to turn violent depending on the circumstances. The protests for services in Gert Sibande District Municipality started off well but later turned violent.

1.8 Research design and methodology

Methodology describes the rationale for the application of specific procedures or techniques used to identify, select, and analyze information applied to understanding the research problem, thereby allowing the reader to critically evaluate a study's overall validity and reliability. The methodology section of a research project answers

two main questions: How was the data collected or generated? How was it analyzed? (USC Libraries; 2017).

This study used the qualitative research method for collecting data and in answering the research questions. The study used the existing literature in trying to answer the research questions. Document analysis was used where necessary in order to make sense of what was contained therein. The structured and semi-structured interview questions were used as a way of collecting empirical data. The people that were interviewed were the political representatives within the three municipalities. The rationale behind using interviews was because from a research perspective the interviewer can pursue in-depth information around the topic. Furthermore, interviews may be useful as follow-up to certain respondents to questionnaires to further investigate the responses.

1.9 Chapter Outline

This Thesis is divided into seven chapters which are organized as follows.

Chapter One: Introduction and background

This chapter presents the background to the study. Among other things, it spells out the context within which the study was conceptualized. It states the research aim, objectives, research questions, and addresses broader issues entailed in the study from a general perspective. This chapter also introduces the research sites, enunciates the topic and provides all relevant information in as far as the Thesis is concerned. Lastly, the chapter presents the outline of the study with the view to prepare the reader's mind-set.

Chapter Two: Literature Review

This chapter reviews, describes, summarises, evaluates and clarifies what other authors have said about the subject matter. A literature review includes the current knowledge including substantive findings, as well as theoretical and methodological contributions to a particular topic. Literature reviews are secondary sources and do not report new or original experimental work.

The chapter further provides a picture of how service delivery in South Africa is perceived and presents an analysis of the causes of protests for services in South Africa with particular reference to Mpumalanga Province. It further illustrates the national trends of service delivery protests in South Africa between 2004 and 2010 and establishes how the absence of community participation in municipal activities might lead to a breakdown in the channel of communicating projects and programmes of municipalities.

Chapter Three: Definition of Concepts

This chapter deals with the main key concepts that are used in the study. The rationale behind this is to give the reader a clear understanding of the key concepts used. This is done through the use of words and examples in order to arrive at specific verbal definitions.

Chapter Four: Research Methodology

This chapter discusses the research methods that were used to collect data. It expounds item 1.8 above.

Chapter Five: Background information on municipalities in Gert Sibande District

This chapter provides background information on municipalities in Gert Sibande District, particularly those that were affected by the violent protest for services between 2004 and 2010 and which are used as case studies in this Thesis. A brief historical background of the Gert Sibande, Dr. Pixley Ka Isaka Seme and Saul Mkhize is also be provided since the municipalities were named after these icons.

This chapter further provides the organisational structures of Msukaligwa, Mkhondo and Pixley Ka Isaka Seme local municipalities. The *raison d'être* for doing this is to give the reader a picture of each Organogram of the municipality and its functioning. An assessment of the three pieces of legislation is done, namely: the Municipal Structures Act, 117 of 1998 and the Municipal System Act, 32 of 2000 and the Municipal Finance Management Act, 56 of 2003 (MFMA) as they relate to the operation and functioning of municipalities.

Chapter Six: Model for Municipalities

This chapter provides a model for the municipality to better deal with protests for services as and when they erupt. The reasoning behind this chapter is to enhance the importance of public participation in municipal activities as a way of averting service delivery protests in future. The emphasis in this regard is placed on the Municipal Institutional Capacity Model (MICM) which is seen as a solution for the problems faced by most struggling municipalities across the country.

Chapter Seven: Recommendations and Conclusion

This chapter pulls the entire Thesis together by reiterating key discussion points. Of great importance is that it lists the factors that gave rise to service delivery protests in Mkhondo, Dr. Pixley Ka Isaka Seme and Msukaligwa Local Municipalities so that

relevant authorities could be aware of them. Moreover, the chapter further offers an overview of Audit Outcomes of the municipalities from 2004-2010. Importantly, the chapter presents the recommendations of the study. These recommendations are informed by both the analysis of secondary data and the findings obtained from empirical data from interviews and other data sets collected using different methods.

Bibliography

As is conventional practice, this section lists all the sources used in the study. This is done both as a compliance issue to the research culture in the research community and to ensure that anyone interested in the sources used in the Dissertation could easily locate them for further interrogation and to establish authenticity.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter focuses on the review of the literature. It will further describe, summarise, evaluate and clarify what other authors have said or written about the subject matter under investigation in this Thesis. The chapter will provide a theoretical base for the research and help the author to determine the nature of the research. The purpose is to convey to the reader what knowledge and ideas have been established on the topic under study, and what their strengths and weaknesses are. The literature review is defined by a guiding concept (e.g. the research objective, problem or the issue the researcher is discussing or argumentative thesis). Literature review is not just a descriptive list of the material available or a set of summaries but a thorough and tested scientific research exercise (CQ University Library, 2017).

This chapter will further provide a picture of how service delivery in South Africa is perceived and analyse the causes of service protests in South Africa with particular reference to Mpumalanga Province. It will further illustrate the national trends of service delivery protests in South Africa between 2004 and 2010 and demonstrate how the absence of community participation in municipal activities might lead to a breakdown in the channel of communicating projects and programmes in municipalities. As mentioned in chapter 1 of this study, the unit of analysis is the three local municipalities found in Gert Sibande District Municipality.

2.2 Theory of the protests

Protest actions, no matter the source of the grievance, occur within municipal spaces. Municipalities bear the overwhelming brunt of these protest actions, ranging from damage to infrastructure and public amenities to diminished public perceptions of the local government's effectiveness. While local government does face some significant

challenges, the extent to which local government is directly responsible for motivating community protest action is an unsure determination. Often, important community issues driving community protests are neither related to local government nor its mandates, as it is the case with issues of housing (Steyn, 2015: 11).

Protest activity has been a feature of the South African political landscape for decades. Challenges have arisen in classifying protest according to frequency and motive. This is due to the many methodologically unstandardized ways data on this subject are collected, coded and classified. Consequently, many protest tracking studies examine newspaper reports of protests to form profiles of service delivery. Community protest frequencies and motives do not collectively contribute to a broader understanding of community protests and their relationship to service delivery. Similarly, not all peaceful protests or their motives are reported in the media or are decisively linked to the reported motivations and issues (Ibid.: 11).

Political protests have become a legitimate way and are widely used to influence the decision of government and other organisations. Organisers of protests are a large spectrum of groups like social movements, unions and citizens' initiatives. Mainstream sociological social movement theory developed in the context of the reform movements in the US and Western Europe. This base shaped the theory (Olivier et al.: 2003 xiii).

Fifty years ago, sociologists considered protest to be an undemocratic intrusion into politics. In the wake of the movements of the 1960s, protest is now seen as an important adjunct to democratic politics and a significant factor in the transition from authoritarian to democratic regimes. The study of protest and social movements has mushroomed from a marginalized and almost-dying sub-specialty of social psychology in the 1960s to a large specialty area of sociology in its own right with significant ties to political, organizational, and cultural sociology as well as in social psychology. The democratization wave of the 1990s opened a new range of research

about the form and role of protest movements and their relations to regimes in authoritarian and post authoritarian conditions (Oliveir et al.: 2003: 2-3).

Deprivation theorists argue that social movements have their foundations among people who feel deprived of some good(s) or resource(s). According to this approach, individuals who are lacking any good, service, or comfort are more likely to organize a social movement to improve (or defend) their conditions (Kricheli et al.: 2011: 1).

Opp (2009: 11) argues for costs and benefits as two of the factors that influence participation in protests. He went on to state that these two factors are the intensity of political discontent and the individual is perceived personal influence. This, accordingly, is an extent to which an individual thinks her or his protest makes a difference. There is a shared feeling that there is an obligation to participate under certain conditions (moral incentives), and the extent to which the protest yields social rewards of important others (social incentives).

The question of why people protest has occupied social scientists for a long time. At the turn of the last century, the French Psychologist Le Bon, a founding father of collective action studies, regarded all street protest as a form of deviant behaviour. Le Bon developed his theory on crowds in France during the 1890s - a period of social unrest. He believed that the destruction of religious, political, and social beliefs in combination with the creation of new conditions of existence and thought, as a result of the modern scientific and industrial discoveries, was the basis of a process of transformation of the thought of mankind. He also believed that ideas from the past, although half destroyed, were still very powerful, while the ideas which are to replace them were still in the process of formation (Van Stekelenburg and Klandermans, 2009: 3).

The social-constructivistic perspective, on the other hand, concentrates on questions about how individuals and groups perceive and interpret these conditions and focuses on the role of cognitive, affective, and ideational roots of contention. It is

broadly organized around three concepts: framing, identity, and emotions (culture is also referred to, but we will not elaborate on it in this chapter).

These terms are also key concepts in social psychological approaches to protest. People, social psychologists maintain, live in a perceived world. They respond to the world as they perceive and interpret it. If one would want to understand why people protest, then there is a need to first know how they perceive and interpret their world, social psychologists would argue (Van Stekelenburg and Klandermans, 2009: 3).

It is difficult to want to understand the mindset of protestors. For example, how does a community burn down a library because there are power cuts in their areas? At times there are clear linkages between the motive and the intent used by protestors to demand attention from their respective political representation. How does the burning and destroying of schools because a certain group in the community wants their municipality, is linked to the protests? These are very intriguing questions answers to which force one to invoke a psychological analysis of the protesters' minds.

Municipalities are the key drivers of social transformation and are regarded as agents of change by virtue of the fact that they are the closest to the people. They are behind the transformation agenda for developing their communitys' state of affairs, by providing services equitable to its citizens. These services are essential in maintaining the legitimacy of the state, and not just of the government in power (Maré, 2003: 43). Effective and efficient service delivery is underpinned by the correct identification, definition and delimitation of objective (Hemson et al, 2009: 164).

The provision of services in South Africa is a constitutional right, guaranteed in the Bill of Rights of The Constitution of the Republic of South Africa. Under the Bill of Rights the State is required not only to respect the various rights, but also to protect, promote and fulfill them (Maré, 2003; and Hemson and Owusu-Ampomah, 2004: 512).

The Constitution also emphasizes that the State should make provision of those services within the available funds. This statement indeed serves as a reminder to struggling municipalities that when planning their Integrated Development Plans (IDPs), they need not plan things that cannot be aligned properly within their IDPs due to budgetary constraints because such tendencies have a potential to cause friction between municipalities and community members.

Constitutionally, the new State 'is committed to redress the past imbalances and allows demands for the provision of rights to basic education, health care, water provision and sanitation and so on, to be enforced' (Maré, 2003: 40). It is worthwhile to mention that black people have been long denied the rights to access these services including black authorities that were installed by the apartheid government to administer their affairs.

One could also agree that it is for that reason that the demand for service delivery in South Africa by South Africans has been growing widely as and when a new term of government unfolds. Engelbrecht (2015:1) notes that governance comprises the complex mechanism, relationships, processes, and institutions through which groups and citizens articulate their specific interests, exercise their obligations and rights, and mediate their differences.

Service delivery is only one side of the coin. The other side is effective political representation. Du Toit et al (2002: 65) support the idea of development as an activity where the people on the ground would be seen flourishing. Holtzhausen (2004: 113) quoted in Fox and Van Rooyen argues that, 'development is not about the service delivery of goods to passive citizenry but is about involvement and growing empowerment. It further requires tough minds and soft hearts'. This means that both the elected representatives and the public work together, or need to work together in realising a sound government.

One of the pace setters of Public Administration (Cloete, 1982) states that, the principal reason for the establishment of municipal and other local authorities is to give the citizens of the town, city or other local areas the opportunity to provide for those matters which are local in nature and which affect the lives of the citizens every day.

Atkinson (2003: 119-120) provides a concise evolution of the municipal system in South Africa. She singled out three distinct generational issues. The first covers the period between 1995 and 1998. Under this one the main focus was to amalgamate the racially defined municipalities, through the Local Government Transitional Act (LGTA), 1993. This process was followed by the 1998 Local Government White Paper.

Roux (2002:70) states that between 1994 and 2000, twenty four Green Papers and forty White Papers, which contain major policy changes, were presented in Parliament as part of the Constitutional reform in order to change and transform all spheres of government and its administration.

The White Paper according to Venter et al (2007: 14) proposed that municipalities should in future be developmentally oriented, providing vision and leadership to co-ordinate the activities of public and private agencies and encourage the community to participate in policy-making.

The LGTA and the interim constitution, according to Cameron (1998: 1), guided the transformation phase and made provision for the establishment of demarcation boards in each province. The last generational issue according to Atkinson focused on the desirable outputs of municipal activity (i.e. municipal developmental policies and programmes), as well as activities to be conducted (i.e. integrated planning, public participation and alternative service delivery).

Bond (1998: 66) supports the notion of citizen participation by stating;

The importance of participation in effective delivery of local public goods is well recognized, and it is central to community provision of service. Without local participation, projects often either found at the implementation stage or were not maintained and failed to produce sustained benefits. There are risks of exploitation of the poor and of low labour productivity under the banner of self-help and voluntarism. Participatory processes take time and often require the skill of professional intermediaries who interact with formal sector agencies, explain technology options, and help resolve disputes. Special interests, local elites, or powerful minorities can capture the process to the exclusion of others.

Slocum et al (1995: 25) allude to the fact that participation has increasingly been associated with community level meetings in many recent publications of professional development circles. They further note that the epitome of the newly popular participation is a large public meeting attended by all members of a given community, where local people and officials engage in planning discussions about local problems and proposed development solutions.

Holtzhausen (2004: 112) quoted in Fox and Van Rooyen places emphasis on municipalities, arguing that, 'municipalities have a responsibility to encourage their community and stakeholder groups to get involved in drawing up their Integrated Development Plans (IDPs)'. This should be done in particular with regard to disadvantaged or marginalised groups, as well as in accordance with the conditions and capacities within a municipality.

Swanepoel (1997: 5) and Holtzhausen (2004: 112) caution against the dangers of a non-participating community in community related projects. They argue that people who do not participate in their own development have no affinity for developmental efforts and their results. The huge problem of sustaining development and maintaining facilities instituted by development is resolved if the affected people participate, knowing that they have a stake in the effort and the results.

Du Toit et al (2002: 100-101) state that the new Constitution of South Africa Act, 108 of 1996 and the White Paper on Transforming Public Service Delivery of 1997 'made an important contribution to a new attitude amongst public servants and citizens regarding service delivery'. One should note that the process afforded the citizens the legitimate right to be treated with dignity and courtesy and to receive quality and sustainable services. On the other hand, there is an expectation that the process of delivering services to the people should be accorded with generally accepted normative principles.

The processes gave rise to functional 283 municipalities functioning within the local sphere of government. These Municipalities remain a vital cog in the developmental state machinery, and they remain an epicenter where most of our people have direct and frequent contact with government. Lastly, they are frontline institutions that enable citizen interaction with government services (Mahlobo, 2010).

It is correct to say that Local Government provides the necessary platform for deepening democracy through public participation and engagement with communities on matters affecting development and service delivery. Holtzhausen (2004: 113) quoted in Fox and Van Rooyen, locates local government as a primary vehicle to facilitate sustainable development.

In his Annual Address on the Occasion of the Inauguration of the 10th Anniversary of Freedom in Pretoria on the 27th April 2004 the then President of South Africa, Mr. Thabo Mbeki said;

Our country was a place in which squalor, the stench of poverty, the open sewers, the decaying rot, the milling crowds of wretchedness, the unending images of landscape strewn with carelessly abandoned refuse, assumed an aspect that seemed necessary to enhance the beauty of another world of tidy streets, and wooden lanes, and flowers' blossom offsetting the green and lyrical music, and love (Mbeki, 2004; See Pillay and Orli Bass, 2008: 334).

Schwella (2015: 290) stresses that poverty in South Africa is harsh, widespread, debilitating and resilient. This phenomenon is linked to inequality, which has been the constant focus of the South African governance. It has been a very tough problem to deal with, irrespective of the good intentions, policies, plans, and actions of so many South African Institutions across the sectors of society, as well as all branches and spheres of government.

The South African Constitution is the supreme law of the country that sets statutory framework in which service should be delivered to South Africans. Each and every sphere of government either at the National or Provincial level has its own jurisdiction. For example, the provincial government operates close to the people since its jurisdiction is within the local setting (White Paper on Local Government, 1997:13).

According to Du Toit (2002: 80), the creation of a physical statutory framework for service delivery is an action to establish the necessary infrastructure for the purpose of achieving objectives and missions to realise a government's vision. Malan (2004: 99) quoted in Fox and Van Rooyen, refers to this framework as constitutional and institutional, and acknowledges that it has been created to encourage co-operation and interaction among the three spheres of government.

Indeed, municipalities are polities in their own right. They are not only bureaucratic edifices but are elected directly by the citizenry. On the other hand, party politics plays an important role in municipal governance (Atkinson, 2003: 133). Poor or bad governance affects the legitimacy of governance.

Cloete (1982: 241) asserts that, to ensure that each local community is governed and administered with proper recognition of its unique characteristics and that the true needs and that the expectations of the local citizens are respected, the citizens

should be involved in the determination of policies for the provision of local public goods and services as well as implementation of the policies.

Service delivery is broadly associated with services rendered by Government Departments, be it at national, provincial and local level. At the district level, municipalities are tasked with drawing-up their IDPs in consultation with their communities in ensuring that whatever services would be rendered by municipalities for a particular period are clearly understood. Municipalities prioritise the needs of the people through integrated development planning that would guide all their operations and eventually their budgeting (Venter, 2007: 14; Municipal Systems Act, 2000).

Atkinson (2003: 123) states that, 'before 1996, district municipalities had very limited functions, viz. allocation of capital grants (derived from their levy revenue) to municipalities and management of a few district-level 'bulk' functions (e.g. large-scale water supply)'. The situation has changed; today they are tasked with new responsibilities, amongst which are the developmental functions. This speaks to the building of developmental capacity, district based tourism and rapid rollout of sanitation projects.

On the other hand, local municipalities act as primary developmental tiers, and are always in constant engagement with communities at all times and politically answerable to their communities for the development of their choices. These municipalities at times face some operational challenges. For example, at times they have to grapple with a large number of people with inappropriate skills. Crous (2002: 146) argues that people are an intrinsic part of any organization or institution and its management. It is management task to utilize all resources including people available to the institution in a way that will ensure long-term institutional success.

Du Toit et al (2002: 102) argue that, 'in the practice of service delivery, public servants occupy the position between the service provider on the other hand and the public expecting to receive quality services on the other. When clients are dissatisfied

with services, they will confront public servants and expect them to remedy the situation, as prescribed by the Public Service Act of 2001. Therefore, if public servants comply with the normative guidelines in doing their work, the number of dissatisfied clients should be limited to a minimum'. Whether relevant stakeholders in the municipalities discussed in this Thesis have followed the process, remains a debatable question.

Du Toit et al (2002: 56) note that service delivery is 'not something that merely happens, but a process that happens spontaneously and over time, and it is as a result of political dynamics'. These authors further singled out requirements conducive for services to be delivered. In their analysis they listed the following;

- The government of the day's idea of what it considers the majority if their people need for the enhancement of their welfare;
- Inputs from society in respect of their requirements for the enhancement of their welfare;
- Policies that guide government institutions and officials to achieve their objectives in order to improve the welfare of the people;
- An infrastructure with adequately qualified people (governments, government institutions and people) to support the general well-being of all citizens, and
- Decisions and actions.

Du Toit et al (2002: 80) assert that service delivery is a crucial responsibility of government and government institutions, since it results from public administration and management of government. The provision of such a service is not a responsibility of government alone, but a responsibility of the following stakeholders: government institutions, private organizations, Non-governmental Organisations (NGOs), and Community Based Organisation (CBOs).

All these sectors have a crucial role to play in ensuring that service delivery becomes a reality. The hard work does not start or end here, it is preceded by the acquiring of organisational structures and suitably qualified personnel. As such, 'these structures must be organized in such a way that their staff are supported to deliver the services they are responsible for' (Ibid.: 90).

In South Africa, for example, the discussion above looms large in political discussion and evaluation of government's achievements. In the President's speeches, it has become the critical focus of human development and a measure of effective government. To both opposition parties and the ruling party itself, it is the key indicator of whether the country is moving ahead and the yardstick to assess the extent to which the prospect of a better future will be realized (Hemson and Owusu-Ampomah, 2004: 511).

Hemson *et al* (2009; 156) suggest that, 'service delivery is the end product of a chain of plans and actions involving municipal, provincial plans and national budgets. It is also a range of institutions, local consultation and it is arguably a primary measure of the effective realization of state capacity'. They went further to explain that such a capacity is measured against the backdrop where the majority of the people were previously denied access to services such as water, infrastructure and other amenities. On the other hand, Du Toit *et al* (2002: 88) state that, the provision of service delivery in the past 'was collective and basic, e.g. defending the community and members of the community against aggression and turmoil'.

Cameron (1998: 229) and Holtzhausen (2004: 115) quoted in Fox and Van Rooyen singled out the objectives of a municipality as follows;

- To provide democratic and accountable government for local communities;
- To ensure the provision of services to communities in a suitable manner;
- To promote social and economic development;
- To promote a safe and healthy environment; and

- To encourage the involvement of communities and community organizations in matters of local government.

The South African Government has made major inroads in providing services to its people. It is without a doubt to note that since 1994, many people – both in urban and rural areas – have been provided with services ranging from: portable drinking water, electricity, health facilities etc. Targets were also set for the Government to deliver on these services. For example, the targets for eradicating the bucket system by 2006 and water and sanitation for all were not met (Hemson et al, 2009: 157).

At the United Nations meeting in 2000, various Heads of States committed themselves to the targets set by the Millennium Development Goals (MDG's). The former President of South Africa, Thabo Mbeki declared, 'committed to halving the number of people lacking safe water in the world by 2015, eradicate the backlog of infrastructure for water by 2008 and sanitation by 2010 (Service Delivery Review, 2004: 17).

Since 1994, one can point out that there are some noticeable changes in terms of the improvements of people's lives. Many people have gained access to basic services, but much still needs to be done. There are still people who are still without sanitation. Some are still using the bucket system despite the fact that government set targets to eradicate them. The other challenge confronting the South African government is the issue of urbanisation which is putting more pressure on those affected municipal infrastructure backlog and their capacity.

Bond (1998: 61) states that, 'in South Africa most municipal services - water, electricity, roads represent public goods with monopoly status and a large chunk of infrastructure costs, and the lessons from past experience that Stiglitz draws should have been high on the public agenda for debate. Yet, it is precisely these services that are today being promoted as privatisation prospects (in the process generating

private monopolies) most forcefully by local Bank staff'. To do so requires redefining the notion of public participation.

However, one can argue that people at grass-root level have their own interpretation with regard to how services should be delivered to them. The big question is whether there is a distinction by some South Africans between services rendered by National and Local Government. At times it becomes confusing in instances whereby community members would air their views or register their complaints. For example, 'residents of Boiketlong squatter camp near Sebokeng burnt down a Metrorail train because they do not have access to land' (Daily Sun, 2011).

Hemson et al (2009: 159) presented the findings by the United Nations Development Programme's Human Report of 2006 that, 'that politics matters in service delivery'. The findings went on to suggest that 'political will translates into national targets, the allocation of the necessary resources, the drive to ensure implementation and, broadly, the acceptance of accountability at all levels to political representatives and directly to the people'.

Everyone has the obligation to pay for services. This, however, is not the case since some people are trapped in adverse poverty levels. Bond (1998: 39) is of the view that, the South African environment is characterised by growing poverty (and its 'feminisation'), unequal distribution of resources, intensifying fiscal discipline and budget cuts, high interest rates, heightened competition between cities and towns, and in many cases a lack of respect by the World Bank and even the African National Congress government itself for mass social movements, community-based organisations and non-governmental organisations.

Swanepoel (1997: 25) strongly suggests that South Africa and the rest of the Third World Countries need to empower people to develop themselves. He went to say that, 'the backlogs in housing, health service, education and many other sectors can only be addressed successfully if the people trapped by poverty are freed to make

their own decisions, to learn through trial and error and work out the best way forward for themselves'. This argument can be challenged on the basis that it does not give clear indications as to what kind of empowerment should be provided to the people, and at what levels.

The reasons for community protests were varied. According to the University of Johannesburg's (UJ's) research, the top five grievances were about: service delivery in general, housing, water and sanitation, political representation and electricity. Corruption, municipal administration, roads, unemployment, demarcation, land, health and crime also featured as some of the causal factors (Grant, 2014).

When addressing corruption within the public sector, Hemson et al (2009: 158) states that, 'corruption is a malaise that rots the core of any organizational value system and erodes the platforms required for accountability. They went on to argue that, 'if political and managerial leaders are engaged in or tolerate corrupt behavior, it makes holding someone accountable for poor performance very difficult'. Engelbrecht (2015: 1) asserts that, corruption destroys all forms of good governance at all levels of government.

Schwella (2015: 264-265) notes that the levels of corruption in South Africa are worrying, the country ranked fifty-fourth of the 178 countries by the anti-corruption agencies. According to the Diagnostic Report, corruption weakens government's ability to deliver services and to create more equality in a very unequal society. The report further points out that corruption is not an institutional problem, but also a moral and political problem. Therefore, it will not be easy to eradicate corruption from the public sector if the problem is not addressed at a political level.

On the other hand, Mafunisa (2006) also emphasizes that, 'the struggle against corruption should consequently not be directed towards its total elimination, as this of itself is not possible. The challenge is not to aspire towards an optimal point of zero in fighting corruption but to ensure that a carefully formulated strategic approach is

adopted which must be based on the ability of a country to harness available resources, human capacity and political will’.

Corruption is indeed a concern to Government. In the Service Delivery Review of 2010, The Minister of Public Service and Administration Mr. Richard Baloyi indicated that;

Government’s fight against corruption remains a priority. The prevalence of corruption in the Public Service pervades all aspects of government activity and affects citizen state relations. Therefore, we have introduced policies and legislation to ensure public service integrity and fight corruption.

Hemson et al (2009: 159) strongly assert that, ‘rooting out problems or poor performance and corruption depends on the political will of the state’. The institutions of democracy, such as Parliament and its oversight committees, are hamstrung by a culture of non-enforcement and do not, therefore, have the power they should have as envisaged by the Constitution.

2.3 Causes of protest for services and challenges in South Africa

Protests for services in South African are not new. The number of service delivery protests annually in South Africa has been increasing since 2004 and, since 2009, more of them have turned violent. A total of 43 protesters were reportedly killed by police between 2004 and 2014 (Grant, 2014). Between 2008 and 2013 approximately 3000 protests took place nationally. The burning of Councilors’ homes and public infrastructure, poo throwing, road blockages and unlawful land occupation have been tactically used to voice the grievances (SA History Online, 2014). The violent protests according to Shaidi (2013) emerged in South Africa for the first time during 2004/05.

Jili (2012: 29) states that since 2004, South Africa has experienced a movement of local protests amounting to a rebellion of the poor. He found that the movement of protests has been widespread and intense – in some cases reaching insurrectionary

proportions. On the surface, the protests have been about service delivery and against uncaring, self-serving, and corrupt leaders of municipalities.

South Africa has been dubbed "the protest capital of the world", with one of the highest rates of public protests globally. It is often argued that the rate of protests has been escalating since 2004. However, Steven Friedman argues that the wave of protests stretches back to the 1970s. The rate of protests 'rose dramatically in the first eight months of 2012' and it was reported that there were 540 protests in the province of Gauteng between 1 April and 10 May 2013 (Alexandra, 2014).

During the 2004/05 financial year about 6,000 protests were officially recorded, an unknown number of protests went unrecorded, and about 1,000 protests were illegally banned. This meant that at least 15 protests were taking place each day in South Africa at this time. However the number of protests has escalated dramatically since then. *Business Day* reports that "2009 and 2010 together account for about two-thirds of all protests since 2004" (Ibid., 2014).

There was a dramatic surge in protests shortly after Jacob Zuma first took office and the number of protests was ten times higher in 2009 than in 2004 and even higher in 2010. The number of protests reached an all-time high in 2010/2011 and then a further all time high post-apartheid in July 2012 with more protests occurring in the Western Cape than in any other province and just under half of all protests occurring in shack settlements. In early 2013 it was reported that popular protest had reached its highest rate since the end of apartheid in 2012. In early 2013 it was argued that there had been as many as 3,000 protests in the last four years (Ibid., 2014).

According to Burger (2009), many reasons for these protests are offered. The primary reason, it would appear, is dissatisfaction with the delivery of basic municipal services such as running water, electricity and toilets, especially in informal settlements. Unemployment (officially at around 23%), high levels of poverty, poor

infrastructure, and the lack of houses add to the growing dissatisfaction in these and other poor communities (Burger, 2009).

Under the apartheid regime, African people protested against services that were offered along racial lines. There are grounds for tracing service delivery protests back to the apartheid era, and a strong case can be made for linking them to discontent that was noted in surveys conducted in the late 1990s and to the social movements that emerged in the years after 2000 (Alexandra, 2010: 25; Wesso, 2011: 11]). These protests are systematically entrenched and have found their expression in the apartheid regime which might take many years to be addressed.

During the apartheid era, for example, community members who were dissatisfied with the running of the administration of the apartheid government would take to the streets and destroy the properties of the then government as part of sending the message to that government about their plight of suffering. This way of protesting has since found its expression in the manner in which the current protests are formulated. Since 2004, South Africa has experienced a movement of local protests which has spread in most parts of the country. In other places, there have been widespread protests where lives have been lost. Some protests have been about service delivery and against uncaring, self-serving, and corrupt leaders of municipalities. A key feature has been the mass participation of a new generation of fighters, especially the unemployed youth and other school going children (Alexandra, 2010:25).

These are some of the causes that lead to protest for services in communities. The most common causes of the protests are related to the collapse of a relationship between the elected political representatives and community members. Furthermore, community members raise allegations of corruption by municipal officials and representatives through issuing of tenders to friends or cronies and relatives. During its 51st Policy Conference organised at Stellenbosch University in 2002, the ANC admitted that Local Government was facing the challenge of mobilising the masses of our people to actively participate in matters of governance. At the same time the ANC

noted that Local Government faced the serious challenge of urbanisation (ANC 51st Conference Resolutions, 2003: 5).

In 2007, at its National Conference in Polokwane, the ANC once more conceded that municipalities in the poorest and most rural parts of South Africa were amongst the most deprived in terms of human, physical and financial resources (ANC 52nd National Conference Resolutions, 2007).

On corruption, Raga and Taylor (2005: 23) stress that corruption can disturb economic competition and endanger free trade and the stability on which the free market economy is based. The ANC is in agreement with this statement. In its National Conference it stressed that, there is a need to be the champions in the anticorruption campaigns and that tougher action against corruption should be taken. Systems to detect and act against corruption should be strengthened. There should be greater cooperation across the spheres of government in dealing with corruption. Corruptors should be punished as well (ANC 53rd National Conference Resolution, 2012: 32).

Atkinson quoted in Alexandra (2010: 26) argues that in South Africa most protests take the form of local political protests or local protests. She went on to point features of South African protests as: mass meetings, drafting of memoranda, petitions, toyi-toying, processions, stay ways, election boycotts, blockading of roads, construction of barricades, burning of tyres, looting, destruction of buildings, chasing unpopular individuals out of townships, confrontations with the police, and forced resignations of elected officials. Kanyane (2010: 85) argues that a protest for services arises out of the fundamental problem of avoiding taking tough decisions and can come down to a simple chain of accountability.

In response to protest for services in 2005, the then President of South Africa, Thabo Mbeki commented;

We can say with confidence that none of these instances present an immediate danger to our democracy. But they do reflect and seek to exploit the class and nationality fault lines we inherited from our past, which, if ever they took root, gaining popular support, would pose a threat to the stability of our democratic South Africa (Nleya, 2008: 274).

Wallace and Jenkins (2005: 49) conceded that the causes of protests are driven by struggles for political and economic access. They went on to argue for three interrelated factors that have a potential to cause protests such as: party realignment, post-industrialism and the rise of neocorporatist bargaining among business and labour peak associations (Ibid.: 49). These observations point to the need to access limited resources that should be distributed equitably to all who demand or deserve them. Everatt (2008: 304) concedes that in South Africa, government does not know who it is targeting and why (i.e. what they lack and what they need), the scale of resources thrown at the problem is irrelevant: failure is a near certainty.

Pauw quoted in Wessels et al (2014: 33) also paints a similar picture about the challenges of limited resources in the public sector. He uses the example of the article reported in the Saturday Star Newspaper of December 6, whereby Doctors with severely limited resources had to play God with babies and decide who lives due to the limited number of ventilators to save the lives of premature babies.

Nollert quoted in Jenkins and Klandermans (2005: 68) argues that the neocorporatism reduces the level of political protest because it reduces the gap between societal demands and state capacities. Unlike in South Africa, neocorporatist countries have experienced better economic performance and reduced economic inequality, thus creating greater distributional equity and perceptions of reciprocity (Nollert, 2005: 68).

Zama (2012) points out that one of the leading triggers for protests is the perceived, or existing, lack of quality services. Aminzande quoted in Jenkins and Klandermans (2005: 18) went on to argue that due to lack of institutionalized connections to economic and political elites, social movements embrace disruptive actions rather than work within existing institutional frameworks. This mechanism has been argued to be one of the causes of protest for services in some municipalities in South Africa.

Booysens quoted in Alexandra (2010: 25) argues that the protests are about citizenship, understood as 'the material benefits of full social inclusion as well as the right to be taken seriously when thinking and speaking through community organizations'. Nleya (2008: 269) argues that the improvement of housing, water services and other forms of service delivery have lagged behind due to the increased number of informal settlements.

What is clear thus far is that Municipalities have been under pressure to deliver basic services amidst their crippling system to respond to the needs of the people. One would then argue that the demand for services by South Africans remains an apex question that demands careful attention and action of the South African government, because most protests that are taking place currently are about lack of service delivery.

This matter has dismal consequences if left un-attended and could also have dire consequences for both the economy and investment prospects. Since service delivery is a perplexing matter as evidenced by the appalling conditions some South Africans find themselves in, Nyela et al. (2011) warn us by saying that 'anger with material conditions and the resultant aspirations for better deprivation by the underclass are the ultimate source revolt and that frustration leads to aggression'.

The triple challenge of poverty, unemployment and inequality remains the biggest threat of democratic consolidation, especially in developing countries, which include South Africa. In some instances the skewedness of labour distribution and unequal

opportunities can cause discomfort in the system, more so in heterogeneous societies like South Africa, where the history of racial segregation still remains a distinct feature of nation-building projects.

Bond (1998: 39) argues that the South African environment is characterised by growing poverty, unequal distribution of resources, intensifying fiscal discipline and budget cuts, high interest rates, heightened competition between cities and towns and in many cases a lack of respect by the World Bank. Even the African National Congress (ANC) concedes that the situation is not what the party would like it to be.

To date, there has been an argument as to whether the new dispensation has brought about the economic spins-off to many South Africans. On the other hand, others have argued that the economic conditions of many South Africans have not changed optimally, as envisaged by the high rate of unemployment and poverty levels (Koelble and LiPuma, 2008: 2). Unemployment remains high with an official unemployment rate of just over 30 per cent and unofficial rates of nearly 50 per cent (Mubangizi and Gray, 2011: 213).

Everatt (2008: 302) stresses that whilst many families have access to social grants and other poverty alleviation programmes, many of these households and communities are dependent on the state and thus unable to access the opportunities created by the positive economic climate Nleya (2008: 272). Although anti-poverty policies have largely failed to improve conditions for the poorest sections of society, it would be misleading to suggest that this was a result of inertia on the part of the government.

Indeed, the rate of unemployment has been on the rise and this mostly affects the poor African people. In 2009, the percentage of white people who were unemployed was 4.6 per cent, compared to 27.9 percent for black Africans. This statistic, places white South Africans as the most privileged racial group on the planet (Wood and Bidden, 2012; Wesso, 2011).

This, accordingly brings the two-nation thesis presented by the former State President of South Africa, Mr. Thabo Mbeki in 1998. In it, he stated:

One of these nations white, relatively prosperous, regardless of gender or geographic dispersal. It has ready access to a developed economic, physical, educational, communication and other infrastructure. The second and larger nation of South Africa is black and poor, with the worst affected being women in the rural areas, the black rural population in general and the disabled. This nation lives under conditions of a grossly underdeveloped economic, physical, educational, communication and other infrastructure. It has virtually no possibility to exercise what in reality amounts to a theoretical right to equal opportunity. The other challenge confronting South Africans particularly in urban townships and rural areas is the slow delivery of basic services by their respective municipalities as argued by community members.

Whether conditions have changed in our communities or not remains debatable since municipalities are struggling to transform their policies into the deliverables. Akinboade et al. (2012: 187) support this statement and point out that over the years, many municipalities in South Africa have been soundly criticized for poor service delivery. Owing to the importance of local services that they provide, they are subjected to a daily barrage of questions and complaints presented in the press, civic organizations, and community based organizations.

Mabungizi and Gray (2011: 214) state that infrastructure and service delivery in the municipalities have improved. To buttress their assertions they contend that there are many wealthier than poorer areas which have gained maximum benefits. Privatisation impacts negatively on those who cannot afford services, especially the poor.

At a glance, one would argue that most municipalities have not lived up to the constitutional expectation of delivering basic services to communities. This has also impacted negatively on the Metropolitan Municipalities' ability to deliver services to

communities. Most of them have been associated with poor service delivery, as is the case with Districts and Local Municipalities. In the case of local municipalities which service rural areas, they constantly battle poverty on a daily basis. Everatt (2008: 313) argues that rural poverty remains stubbornly resistant to quick fix blueprint solutions applied to all 'rural areas' as a homogenous mass, while urban nodes are poor, but far less poor than their rural counterparts. Moreover, poor urban areas act as magnets attracting those capable of migrating out of poorer rural areas. This leads to congestion which puts a strain on urban and peri-urban municipalities.

Flowing from the above, what is noticeable is that Metros in provinces such as Gauteng, Western Cape and Kwa-Zulu Natal have witnessed a number of protests for services. This should not come as a surprise. These Metros cannot cope with constantly increasing populations which are not complemented by equally increasing resources. Everatt (2008: 298) points out that an average of 10,000 protests is recorded annually by police, most of which are linked to service delivery.

The other most pressing issues is the level of corruption that is reported in the media about municipal officials – coupled with nepotism, cadre deployment, incompetent Councillors, political infighting and other malpractices within municipalities. On political infighting, Chikane (2013: 20) eloquently expresses shock at the state of affairs within the ruling party when he asks: 'who would have ever thought that ANC members would kill each other for control of state power in order to advance their own personal interests or the interests of family, friends and factions?'

Other challenges to be noted are the continuous qualified audit reports the Auditor-General gives to some municipalities. For example, in the 2010/11 financial year only 2 out of 21 municipalities received clean audits in consecutive years and 13 of 19 Audited Municipalities used consultants. This amounted to 69% of their time due to lack of technical skills (Mpumalanga Newspaper, 2013; Audit Report, 2010/11: 25).

The slow pace of service delivery indeed downplays the turn-around strategy of a 2014 Clean Audit in all Municipalities, implemented by the then Minister of Cooperative Governance and Traditional Affairs, Sicelo Shiceka which placed emphasis to the following areas (Powell, 2014:5):

- By 2011 there would be a significant reduction in the number of complaints
- By people about local government.
- By 2014, outstanding municipal consumer debt, which stood at R41 billion, would be reduced by half.
- By 2014, all municipalities should have a clean audit.
- By 2011, fraud and corruption should be reduced to a minimum.
- A significant reduction in the number of service delivery protests (no date was specified, but the pattern in respect of the other targets suggests that it was either 2011 or 2014).

According to Mbazira (2014: 265), one of the bases of the strategy is what is described as the objectives of an ideal local government, which include: providing democratic and accountable government for local communities; being responsive to the needs of the local community; ensuring the provision of services to communities in a sustainable manner; promoting social and economic development; promoting a safe and healthy environment; encouraging the involvement of communities and community organisations in matters of local government; facilitating a culture of public service and accountability amongst its staff; as well as assigning clear responsibilities for the management and coordination of the administrative units and mechanisms.

Koelble (1998: 13) argues that many of the municipalities do not fill important technical vacancies and therefore cannot acquire the necessary skills to discharge their role as providers of services. This maladministration poses a serious challenge for municipalities to carry-out its constitutional tasks of delivery of services to

communities. No municipality will be able to service its communities without filling of core positions which are the bedrock for service delivery. In some instances, this dilemma is deliberately created due to factionalists and lack of capacity to implement certain programmes of municipalities. Therefore, it is crucial that national government assists local municipalities with the financial resources that will enable them to build and maintain the infrastructure and to deliver the services that will attract skilled individuals from other provinces.

The intention of the clean audit according to Powell et al. (2014: 1) was the signature intervention in the incoming Zuma government's plan to "turnaround" local government. The objective of Operation Clean Audit 2014 was that all 283 municipalities (now 278) and provincial departments should achieve a clean audit on their financial statements by 2014. Some municipalities were able to effect the changes and receive clean reports at the end of their financial years, while majority of the struggling municipalities continued to receive bad audits.

Thornhill quoted in De Villiers (2008: 74) posits that the matter affecting some municipalities in South Africa is often lack of administrative capacity to perform the assigned duties, financial incapacity and absorptiion due to a lack of properly trained and experienced managers and functional employees with the required commitment to succeed. The second challenge in this regard is the lack of financial capacity to implement the extensive policies passed by the democratically elected government since 1994 and in some cases imposed on municipalities by provincial governments through fiscal dumping.

Capacity constraints within municipalities are a major challenge that hampers delivery of services. Some municipalities do not have adequate human resources to perform critical skills that are required by a functional municipality. Such skills include amongst others the following: technicians, engineers, town planners, finance and other administrative duties. Without this critical skill, it would be difficult for a municipality to perform its constitutional mandate (Wild et al., 2012).

Brunetto and Farr-Wharton (2008:42) emphasise the importance of having a skilled personnel. They note that the quality of information-sharing is vital in determining whether employees have the knowledge and feedback processes necessary to service the public adequately. Municipalities are faced with the challenge of the implementation of policies that seek to address the needs of the people (Akinboade, 2012: 188). Lack of implementation and absorptive capacity of government agencies and citizens are problems that hamper efficient service delivery.

Indeed, incapacity to implement projects coupled with infighting within municipalities, places most communities at the receiving end of the delivery of services. Poverty and high unemployment rate in South Africa has the potential to affect the pace in which municipalities deliver services to communities.

This can be attributed to the rising demands made by community members as well as those espoused by the Integrated Development Plans (IDPs), as some municipalities are not even familiar with the needs of the people on the ground. IDASA (2010) argues that 'It is widely felt that the decisions in South Africa do not respond adequately to the needs and values of the communities, especially the poor and disadvantaged sectors of the community'.

As a result, planning, including the budgets and IDPs, has not sufficiently been reflective of the needs of the community. This is in contrast with the implementation of the Growth, Employment and Redistribution (GEAR) which came into effect in 1996. This policy shifted the reform focus from development and equitable service delivery for all South Africans to a careful but continuous process of downsizing and contracting (Wenzel, 2007). Some community members have been complaining about non-consultation by political office bearers when drafting IDPs. Consequently, their IDPs end up not reflecting their opinions hence the protests for services is so widespread.

The other challenges that were identified in the 2010/11 report of the Auditor General (Audit Report 2010/11: 30) were that:

- Municipalities failed to plan and provide staff with training on performance information planning, management and reporting.
- No or inadequate approved internal policies and procedures for planning, budgeting, implementing, monitoring and reporting performance information.
- No data definitions for indicators, targets and objectives.
- Indicators, targets and objectives not well defined.
- Internal audit units failed to conduct internal audits or reviews of performance information systems to focus on aspects of usefulness of reported information.
- No evidence that performance indicators and targets had been adequately developed.

Municipalities are envisioned as sites where a commitment to participatory governance would achieve meaning and content. Instead, communities feel alienated and disconnected from decision making processes and feel disempowered in influencing the affairs of the municipality (Ibid.: 6-30).

To tackle the challenges facing municipalities, government has introduced a Single Window of Coordination (SWC), which is seen as a concept and organisational form to bring about greater cohesion in the work of government, particularly, but not exclusively at the national level.

This is essentially an institutional mechanism meant to lessen the fragmentation within the cooperative governance arrangements impacting on local government. It will also provide for a more focused oversight and support role for the provinces and provide for a greater knowledge bank on municipal environments. Its practical manifestation will be a cross-departmental committee comprising the departments of

Human Settlements, Environment and Water Affairs, Rural Development, Energy and National Treasury under the leadership of the Department of Cooperative Governance (Delivery Agreement for Outcome 9, 2010: 16-17).

The proposed Municipal Spatial Classification System develops municipal profiles according to functionality, socio-economic profile and backlog status. Four classifications are provisionally identified (Delivery Agreement for Outcome 9, 2010);

- Class 1: Most vulnerable (57)
- Class 2: Second most vulnerable (58)
- Class 3: Second highest performing (58)
- Class 4: Highest performing (58)

This system would be linked to a system which rates municipalities on the basis of a minimum floor level of outcomes and functionality with regard to the delivery of Priority services, effective administrative and financial performance and democratic and accountable government. The principle of differentiation is that each municipal area's unique circumstances need to be taken into consideration before applying a uniform fiscal and policy regime, or expecting equitable standards in performance and service delivery. There will be many challenges in crafting a functional framework for differentiation, as well as applying norms and standards to different settlement types (Ibid., 2010).

Tackling service delivery protests within municipalities is not a responsibility of any single spheres of government, but a concerted effort which requires all the three spheres of government to work hand-in-hand without leaving the private sector aside. This trajectory is important because when protests for services erupt not a single structure mentioned is spared from the interruptions and disruptions. All of them are affected in different ways. Research has shown that government's commitment to tackle this pandemic will not succeed if the dire and poor conditions, most South Africans find themselves in are not addressed holistically.

The tasks of tackling the varied problems facing municipalities are cross-cutting and complex. The Constitution states that the three spheres of government cannot function in isolation as they are interdependent and interrelated. This means that all government departments need to work together in ensuring that they provide necessary support to municipalities.

The responsibility of delivering basic services to communities primarily rests with municipalities. But for municipalities to deliver on their mandate, they need to tackle certain impediments such as: poverty, inequality and unemployment. Without addressing these three challenges, most municipalities will continuously struggle to function properly and fail to deliver on their mandate, which is often a recipe for protest for services by the local communities who are the designated beneficiaries.

On the issue regarding poverty and inequality, Powell et al. (2014) warn that civic protests can be found in the extremely high levels of poverty in the country. The latest official statistics put the poverty head count at 56.8 percent. High levels of inequality accompany the high levels of poverty. Official statistics put the South African Gini coefficient at 0.7. Poverty on this scale is a serious concern, and eradicating it is a cornerstone of the National Development Plan published in 2011 and has been a major priority in government policy since Nelson Mandela's administration in 1994.

Embarking upon this challenge will need all stakeholders to put their heads together. This means that the private sector needs to be engaged and play its meaningful role. But a more transparent and accountable system will need to be emphasised.

It is crucial to strengthen the system of the Ward Committees, because most of the issues often do not find their way into, or are not prioritised in Council meetings, and thus fail to become reflected in the Integrated Development Plans of municipalities. As a general norm, project implementation for basic services can be non-

consultative, biased or ad-hoc. The extent of the reported tensions between Ward Committees, Community Development Workers (CDWs) and Councils also undermines functionality, and indeed may be one of the contributory factors in the escalation of community protests (GOGTA, 2009: 15).

As a way forward, more state penetration would be required, which refers to a process of establishing the presence, authority and visibility of the state or the ruling powers. Finer (NB year) defines it as the ability of the government to act directly upon the population through its own agents, instead of operating through intermediate local bigwigs. It is about establishing control (Van de Walle and Scott, 2011: 10).

It would be difficult for municipalities to have a healthy tax base and properly budget for their IDPs if the economic status of community members remains unchanged. According to COGTA (2009: 22), the B3 and B4 Local Municipalities are very vulnerable both from a revenue generation and from an institutional development perspective. They are located in economically depressed areas and have difficulty in attracting and retaining skilled managers, professionals, and technicians.

It follows that some of these municipalities are seriously challenged to fulfil their obligations. They may be financially non-viable, articulate distress via heightened levels of community protests, and be particularly vulnerable to political control. This requires that the issue of funding for these municipalities be addressed as a matter of urgency for the present status quo to change.

The manner in which the delivery of basic services has been politicised at the municipal level needs to be addressed as it impacts on the process of delivering basic services to community members. Also, the factionalism, corruption and nepotism are not doing justice to the plight of community members but put them in a disadvantaged stage to receive what is due to them.

In a study conducted by Sinwell et al. (2009: 1), it emerged that the frustrations with government service delivery and the protests which result from this will remain part of the South African political landscape as long as people do not have access to basic services and are unable to find effective channels through which to express their demands.

The provincial assessment reports have provided substantive evidence of various serious irregularities, corruption, fraud, financial mismanagement and related wrong-doings. The capacity of both national and provincial governments to effectively resolve these matters is weak and therefore significant emphasis needs to be placed on this matter in the Turnaround Strategy (COGTA, 2009: 19).

Due to the manner in which protests for services manifest themselves, they tend to confuse because in some cases community members protest for services that are not necessarily the responsibility or fall within the powers and functions of local municipalities, but rather fall under district municipalities or even provincial and national government spheres.

Koelble (2008: 13) argued that the effort by government to turn the local government into the agent of economic development has led to an unfortunate situation where certain political factions have taken control over municipal governance and are using this platform to foster their own self-interest. This poses a serious challenge to struggling municipalities not for delivering services to communities but also for survival. Municipalities cannot be seen as a springboard to ascend into the political wilderness, but as a platform for servicing the needs of community members.

Without being subjective, it is important for municipalities to have dynamic world-class management processes and appropriate leadership in place politically, managerially and structurally. This would assist municipalities to plan their core business effectively and efficiently. Quality cannot be compromised as it must be an integral part of the strategic plan. Progress and improvement must be regularly

communicated and monitored (Naidoo and Reddy, 2008: 44). Perhaps, this process could lead to other mechanisms of addressing some of the failed projects like the 2014 Clean Audit Report which was envisaged by then Minister of Cooperative Governance and Traditional Affairs.

According to COGTA (2009: 12), Municipal IQ has pointed out that it is not easy to predict the likelihood of the occurrence of protests, especially given that protests do not necessarily take place in the poorest municipalities in South Africa. Protests do not only occur in municipalities or wards with the worst service delivery backlogs. Population growth and urbanisation are key determinants from which a link with protests can be made. Housing administration and management are also some of the key concerns of residents, followed by the cost of services offered by municipalities.

Equally important, municipalities need to operate in a business minded style to maximise profit for their own benefit. This calls for critical positions such as managerial, technical and skills training, which cannot be overlooked for their own survival. However, this could be done by firstly addressing one critical element which is the educational adequacies within these municipalities. Properly capacitating them will in future assist in curbing the unnecessary appointment of consultants for minimal jobs that could be done by highly trained municipal officials at no extra costs.

Cloete quoted in De Villiers (2008: 96) has a different view. Cloete opines that one useful approach to assess systematically how public service delivery can be improved is to distinguish between the contents of government policies (that is, what government intends to do to transform its society into a better place) from the processes employed to implement those policies (how governments go about trying to achieve their policy goals). Any restructuring, therefore, has to result in improved problem identification, policy, programme designs, policy implementation strategies and policy outcomes that achieve the envisaged policy design goals.

Section 68 (1) of the Municipal Systems Act, 32 of 2000 is clear about the provision of capacity by municipalities. It stresses that a municipality must develop its human resource capacity to a level that enables it to perform its functions and exercise its powers in an economical, effective, efficient and accountable way, and this must comply with the Skills Development Act, 1998 (Act No. 81 of 1998), and the Skills Development Levies Act, 20 1999 (Act No. 28 of 1999).

A municipality, through appropriate mechanism processes and procedures established in terms of Chapter 4, must involve the local community in the development, implementation and review of the municipality's performance. The mismanagement system affects the relationship between municipalities and community members. In most cases community members feel being left aside deliberately by their municipalities due to fear of accountability and transparency.

This, accordingly, is an indication of the constant failure to deliver basic services on time to community members, which has grossly affected public confidence in local government; hence many people tend to undermine the existence of a local government sphere as not providing basic services as should be the case. From the national fiscus, the current service delivery model is not appropriate and that is why municipalities will forever experience protests, some peaceful but others violent.

The fact that poor municipalities should raise taxes from indigent communities will not solve many of the problems they are currently facing. The national government needs to intervene for the benefit of community members. Otherwise, municipalities will not cope with the expectation from community members. To make matters worse, poor community members who are unable to pay for services will be easily pressured to join any protests for services if it arises.

National and provincial governments have a constitutional responsibility to support and strengthen the capacity of municipalities to manage their own affairs. Section 139 of the Constitution provides for intervention in a municipality where it fails to fulfil

an executive obligation, such as approving a budget or when there is a crisis in its financial affairs. Municipalities are becoming increasingly dependent on national infrastructure grants to fund their capital budgets. This is not a sustainable trend.

With the current situation that municipalities find themselves in, the reality is that some might not escape the protest for services. Lest, they failed to achieve the 2014 clean audit as alluded to by Powell et al. (2014: 2). Powell et al. (2014) raised two fundamental factors, i.e. accountability and experiences. They perceived these to be the stumbling blocks to effectively implement policies which are aimed at improving the lives of people on the ground. As things stand, most rural municipalities will battle to deliver basic services to communities on time and this has potential of fuelling future protests for services.

If not, an uprising of the poor will emerge and undermine the stability of the country as a whole, if not addressed. The alienation of a segment of the population will force such people to take up arms and fight against their municipalities. The prevalence and violence nature of the civic protests in what is generally labelled as municipal service delivery processes, are sometimes used as evidence for making a wider argument that the South African state has “failed” or is “failing” (Powell et al. 2014).

Public institutions should constantly strive to improve their service delivery record. There is no such thing as ‘arriving’ when it comes to service delivery. It is also important to remember that customer expectations do not stand still. What was yesterday's delightful surprise is today's norm (Crous, 2004: 587). This calls for all government institutions to equally play their meaningful role in addressing the bottleneck faced by municipalities. Rather than waiting for a situation to turn volatile in municipalities, each would need to make a checklist of services that ought to be delivered and deliver them on time. Municipal authorities who have just joined the municipality should use the hand-over period to familiarise themselves with the service needs in the municipality so that they could act promptly.

According to COGTA (2009: 33), there is a lack of policy coherence, multiple reporting demands and a weakening of institutional and organisational abilities in many of our municipalities. Functional overreach and complexity are forcing many municipalities into distress mode, exacerbated by the poor leadership and support from the other spheres and from stakeholders.

With respect to community engagement with public representatives, in instances where it was found that there was a lack of a genuine participatory process due to political instability, corruption and undue interference in the administration, then it can be said that there is a failure to provide democratic and accountable government. This failure is growing as evidenced by the community protests and intense alienation of local communities from local government initiatives (Ibid.: 33).

Political office bearers must understand that they are accountable to community members because they are elected into power to represent their voices not the other way round. Too much politicising the business of municipalities to serve a particular interest of a society will not address problems faced by community members. Political parties need to work together in the realisation of the plight facing community members because when protests for services erupt all political parties are affected. Professor Peter Alexandra warns that the rising levels of protests are a warning that the problems of poor people need to be addressed. As noted by some political commentators like Mr. Zwelinzima Vavi, 'There is a ticking time bomb in South Africa' (Sithole, 2013).

Municipalities have the responsibility of educating their community members about the dangers of destroying public property as well as enforcing by-laws. When governments do not feel the pressure to respond to citizen demands, when they are incapable of enforcing basic performance rules on those directly responsible for service delivery, and when citizens have no control or choice over service providers, typically service will fail (The World Bank, 2011).

2.4 The emergence of protest for services in Gert Sibande District Municipality

The protest for services in Gert Sibande District Municipality like in other parts of South Africa dates back to the early 2000s. As mentioned in the previous chapter, South African protests for services are spontaneous and usually occur during the winter season and election period. In Gert Sibande, for example, it is alleged that violent protest for services happened as a result of the dissatisfaction about poor services that were raised by community members and not attended to by their respective municipalities.

Whether the allegations are factual or not, this study will uncover them. Further, it is expected that at the end of the study, other factors that gave rise to protests for services will surface. Alexandra (2010: 25) is of the opinion that there are grounds for tracing service delivery protests back to the apartheid era. A strong case can be made for linking them to discontent that was noted in surveys conducted in the late 1990s and to the social movements that emerged in the years after 2000.

Between 2004 and 2010 Gert Sibande District experienced more violent protests in its history ever since the inception of democracy in South Africa in 1994. Importantly, these protests tended to be more violent in nature. In Piet Retief, for example, during the 2009 protest for services two people were reported dead, after a confrontation with the police (Interview with Mkhondo Local Municipality officials, 8 October 2015; Mbazira, 2013: 267).

The cause of the protest in Piet Retief (eThandukukhanya Township) according to Alexandra was a memorandum in which the community complained that the poorest people in the community experienced discrimination, being subjected to the worst form service delivery shortage, and that there had been numerous complaints about individual enrichment (Alexandra, 2010: 32). Wallace and Jenkins quoted in Jenkins

and Klandermans (2005:50) classify such protest as civil disobedience, which is typically illegal and directly challenges authorities and leads to political violence.

In most of the protests in Mpumalanga, community members were complaining about the absence of political leadership to address their pressing basic matters. As explained earlier in Chapter 2 of this study, the media coverage on this matter was overwhelming, state institutions like libraries and clinics were torched and people were hurt during the confrontation between them and the law enforcement agencies. This, prompted the ruling party (ANC) to dispatch a task team, comprising of parliamentarians to the volatile area in order to look for the root cause(s) of the problem.

It is important to note that the media act as a channel of communication and as an active participant in the reform process (OECD, 1996: 8). The second role is played whether or not there is a government communications programme and may be positive or negative. The question for the government is how to convey its message to the media, which wields a great deal of power in every democracy. The media normally cover newsworthy protests and thus do not record all protests.

Violent protests are more newsworthy. Therefore, an impression is created of escalating trends in violence accompanying protest action even though the data is not reliable enough for robust inferences to be made. Community protest actions driven by electricity are usually due to affordability concerns. Prepaid meters have generated protests and illegal connections have burgeoned. Non-payment, illegal connections and all forms of unbilled consumption are the three areas that ESKOM and local municipalities struggle with the most. Any action to recover the money lost through these activities usually tends to lead to violent protests from communities.

Western Cape News reported in 2011 that a protest was sparked off when ESKOM sent personnel into Khayelitsha to disconnect illegal connections which annually cost billions of Rands in loss revenue for local municipalities. In 2010, ESKOM lost about

R4.4 billion. One of the residents protesting against prepaid meters claimed to have been illegally connected to the electricity grid since 1989 (Steyn, 2015: 27).

Ward and Olstrom (2006: 221) note that protesters identify some existing social condition or aspect of life and define it as unjust, intolerable, and deserving of corrective action. To provoke public outrage, protesters are usually careful to specify the acts or conditions they regard as wrong. They then argue that these acts or conditions are unjust because they violate a social, political, or religious standard of morality.

In South Africa, one would reiterate that most protests occur around winter times. Part of the reasons offered include load shedding implemented by Eskom as well as water cuts in other areas, due to non-payment of services, the ailing infrastructure and the poor responsiveness by municipal official on challenges faced by community members. All these challenges affect everyone in the society, this includes community members who constantly pay for services.

It is crucial to note that the other common reported challenges are: the fallout between elected public representatives and the electorate on the implementation and feedback of the IDPs, rampant corruption and the rollout of tenders to cronies and friends. Chapter 2 of this study has eloquently explained the type of protests for services that are encountered in South Africa and the manner in which they manifest themselves.

The election victory in 1994, wherein the ANC became victorious changed the modus operandi by replacing the pariah state. The change of the old system meant that the ANC-led Government had to inherit the old municipalities and introduce new ones through the demarcation board. The democratic dispensation meant that old municipalities were then bound by the Constitution to change their mode of delivery by starting to service all South Africans irrespective of race. Ahmad and Brosio (2006) argue that in South Africa under the apartheid system, decentralization was

used as an instrument of central control and racial division. This had to change under the new political order. Unlike in the past when social stratification was rife, during this new era all South Africans were accorded the same status.

The change, however, brought its own shortcomings i.e. the infrastructure which used to service a handful of the white minority had to now deliver services to an increased population. This meant that the infrastructure had to be expanded to cover the rising demand of people who were previously not serviced due to apartheid laws such as the Group Areas Act, of 1950. The passing of the Local Government Transition Act, 1993 (Act 209 of 1993) meant that the new government had to put the aspirations of the diverse nation at heart by providing proactive management in forming a non-racial local government institution which would deal with the diverse needs of racial groups.

The other challenge is that of non-payment of services by the indigent municipalities. Lastly, it is the demand for basic services which has continued to outpace available government finances as explained by Van der Walddt et al. (2002). Wood and Dibben (2010) agree with the fact that the early 2000s saw a proliferation of new social and community movements of the poor, putting pressure on the ANC to deliver. Poor communities mounted protests around issues such as the payment of market-driven prices for social services, drawing on the culture of payments boycotts under apartheid.

Marshall and Wood (1995) explain this scenario by noting that in many consumer services in areas such as education, health care or social services, there is a strong element of state provision, which is paid for through taxation or similar form of levy; they are thus offered free or at a subsidized set at the point of delivery. These services are not enough to alleviate the challenges faced by poor community members.

Van der Walddt et al (2002: 8) point out that government introduced a Policy Framework for an Accelerated Agenda towards the Restructuring of State Owned Enterprise in 2000. This aimed at giving effect to privatisation while on the other hand making provision for alternative forms of service delivery to ensure that excess government spending is reduced whilst at the same time promoting the effective and efficient utilisation of existing financial resources.

Marshall and Woods (1995) further warn of long-term commitment of government to social welfare provision which might lead to demands for services by the electorate. The argument by Marshall and Woods points to the constitutionality of service provision by government as enshrined in the Bill of Rights of the Constitution of South Africa Act 108, of 1996. Van der Walddt et al. (2002:7) explained this notion further that the South African government has introduced, 'a social welfare state to comply with a number of goals to be achieved such as; free education, free medical care, social welfare allowance for the less privileged and state pensions'.

2.5 Delivery of services and the underlying factors

The interpretation and the approach of the concept of service delivery amongst South Africans vary. To some, it is understood widely as services that should be delivered on a regular basis by municipalities while on the other hand there are those who assume that service delivery means any service that government or municipalities must deliver without specifying the type of service to be rendered. Poor communities mounted protests around issues such as the payment of market-driven prices for social services, drawing on the culture of payments boycotts under apartheid regime (Wood and Dibben, 2010: 4; Akinboede et al., 2012: 187).

Burger (2005: 483) posits that service delivery in South Africa is of crucial importance, particularly because of the central role it can play in poverty alleviation. In the short term, the services can help relieve some of the most severe burdens of

destitution, while over the long term the subsidisation of investments in health and education can help provide an exit out of persistent poverty.

The expression of service delivery was captured clearly in the Economic Policy Conference of COSATU that was organised in 1992 as follows;

A process of redistribution must be carried out by increasing the production and provision of basic necessities of electricity, water, transportation, housing, education, health and welfare, food, and clothing. The State must ensure that these basic services are retained in public hands and any such services that have been privatised should be nationalised' (Pape et al, 2002:3 and Bond, 1998: 39).

The White Paper on Transforming Public Service Delivery (Republic of South Africa, 1997b) was promulgated to change the way South Africa delivered its services (Mubangizi and Mel Gray, 2010: 212). To reverse the whole process will take time. The colonial education system, built over time by the apartheid system of homeland education departments and followed by the tricameral government structures of coloured and Indian education departments, has resulted in a highly fragmented system of education administration in the country (Krige, 1998: 86).

Bratton et al. (2005: 40 & 204) singled out reasons why education is regarded as important in the current democratic system;

- Education increases popular knowledge on a range of relevant topics, including procedures for navigation through the complex requirements of modern life
- Education is catalyst of social change; formal schooling informs people about the way things in the world, and it creates awareness of public affairs

- Education helps to dispel superstition and fatalism, boosting people's confidence that they can influence events, and
- That it diffuses values of freedom, equality and competition and it is conducive to democratization.

The enduring facts of poverty, inequality and underdevelopment underscore the need for government to address issues of social and economic development. Most analysts agree that while poverty has dropped, particularly after social grants were provided, poverty remains a defining feature of South Africa; the same goes for inequality (IDASA, 2012; Wood and Bidden, 2010: 6; Alexandra, 2010: 25; and Everatt, 2008: 198).

Baradat (2003:111) argues that poverty can be as confining as any penitentiary. Therefore, it is the responsibility of government not to limit itself to sweeping the streets and catching burglars, but to take into account the material well-being of its citizens besides its civic functions. Also, Akinboade et al. (2012: 187) agree that public services are a key determinant of the quality of life that is not measured in per capita income. They are also an important element of any poverty reduction strategy. Van de Walle and Scott (2011: 9) affirm that public services make the state visible to its citizens; they [services] serve as a direct line to government. They make the state tangible through an almost daily interaction, direct or indirect.

It is for that reason that Akinboade et al. (2012) describe the role of local government in South Africa as largely being the delivery of basic services to the communities. One of its challenges today is to provide effective and efficient service delivery. Layman (2003: 8) points out that basic services such as: water, electricity, refuse-removal, and municipal infrastructure should be provided to communities at a cost and uninterrupted. Indeed, this is a worrying factor but what compounds the situation even more is the constant decline in good governance of some municipalities who ought to deliver these services to the needy communities.

Engelbrecht (2015: 26-27) contends that when good governance fails, bad governance becomes prevalent under bad leadership. She then singles out nine characteristic features of good governance which are presented as a set of ideals, as there is no society where all of them are completely in place:

- Participation
- Rule of law
- Transparency
- Responsiveness
- A consensus orientation
- Equity
- Effectiveness
- Accountability, and
- Strategic vision.

This hypothesis relates to the manner in which the demands are made during service delivery protests by community members. At times genuine service delivery demands like the call for access to clean drinking water from a municipality would be made, but the manner in which the action is carried out by protesters wherein the burning of public libraries and clinics become rampant when community demands are not met raises many questions.

The burning of libraries and clinics according to Von Holdt et al. (2011: 42) is due to the fact that they are soft targets' and/or symbols of corruption. There is a different perception about the burning of the libraries and clinics by community members who are part of protests. For example, the burnt clinic in Voortrekker Township, according to some community members, belonged to the apartheid regime and was too small to serve the needs of the community. Furthermore, there is a perception that the councillors and municipal officials had misappropriated money meant for the clinic. Surely, burning the clinic did not solve the problem.

As for the library it was a library by name only, it didn't have the necessary information needed by community members. This behaviour can be summed up by Aminzade in Jenkins and Klandermans (2005: 18), when he argues that what distinguishes this kind of protest is the willingness to use unconventional, sometimes illegal or revolutionary forms of collective action to register a concern.

Von Holdt et al. (2011: 39) went on to list stages that led to violent protest in Voortrekker Township. These were enumerated thus:

- Anger over a disorganised sports event in April 2009
- The public launch of the Concerned Group (CG) at a mass meeting in 2009
- From that meeting a memorandum was compiled and faxed to various officials' offices on 15 June
- This was done at the culmination of a march of thousands from the township to the municipal offices
- The non-arrival of the Premier at a mass meeting on 28 June 2009 to hear the community's complaints about corruption and poor service delivery in the area.

In other countries, citizens express their dissatisfactions with their government by demonstrating and picketing peacefully while others express their dissatisfaction through the ballot box as an instrument of defiance. Mottair and Bond (2012: 312) assert that, in Argentina, citizens oppose political options by casting blank votes as was the case in 1960 when the Peronistas opposed the outlawing of their party. Again, in Peru in the early 1980s peasants cast blank votes in defiance of their political options.

Mattiar and Bond (2012) further illustrate other forms of protests such as workers and student protests. They note that workers 'favoured strike action, marching, demonstrating and picketing. Likewise, students protest utilized tactics of the strike and boycott, as well as marching, demonstrating and picketing, but also included destroying property and vandalism, as well as intimidation and disruptions'. In Wesso

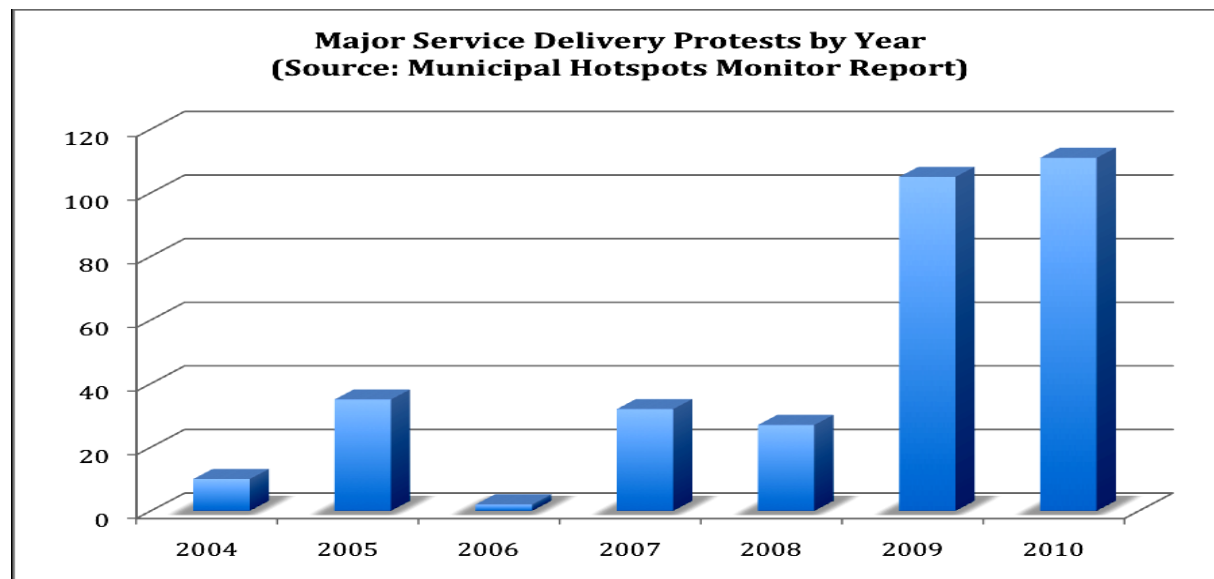
(2011), the typical service delivery protest starts as a march to the municipal office to hand over a memorandum to the mayor setting out the problems, detailing previous efforts to solve them and making new demands.

The period between 2004 and 2010 saw South Africa recording the highest number of services protests since the inception of the democratic governance in 1994. The incidents, however declined towards the hosting of the 2010 FIFA World Cup (Von Holdt et al., 2011; Jain, 2011: 6). In 2009, for example, South Africa recorded more than 100 protests for services. The number of protests declined 90 in 2010 as captured by Municipal IQ.

At the same time, the protests have become violent, marked by the destruction of public and private property, and confrontations between armed police and stone-throwing crowds (Von Holdt et al., 2011). Countries such as Britain, Italy, Finland and the United States of America – which are the front runners in wildcat strikes – condemn violent protests (Wallace and Jenkins, 2005: 52).

In South Africa, there are a number of cases that could substantiate the claim made above on the increase of violent protest. A case in point is the alleged murder of Andries Tatane in 2011 by the police, the massacre of 43 miners [in Marikana?] in 2012 allegedly also by the police (City Press, 2011; Pithouse, 2011 and Institute for Security Studies, 2011). Wesso (2011: 3) argues that, poor people protesting against getting bad or no services at all from municipalities, and being met with indifference or condemnation from politicians, and contempt and brutality from police, happens all the time. The assault and killing of protestors is becoming a regular thing. Either the police are tough or the protesters are violent.

Figure 2: Major Service Delivery Protests in South Africa between 2004-2010.



Source: Adapted from the 2011 Report by Jelani Karamoko and Hirsh Jain

The figure above illustrates the number of protests that took place from 2004 to 2010. In 2004, there were less than 15 protests for services reported in South Africa. The figure highlights an initial peak in 2005, followed by a lull in 2006, the year of local government elections (Alexandra, 2010:28).

The argument about the rise in the number of protests as articulated by Alexandra could be psychological and circumstantial. Protesters have mastered the art of ensuring that government comes into its knees and listens to their grievances. The argument that has been presented by commentators of democratisation is that government is always visible on the ground during the electioneering period.

The other noticeable rise in the protest was recorded in the years 2007 and 2008. As mentioned earlier, in 2009, South Africa witnessed the worst ever protests for services. In that year alone, there were more than 80 service delivery protests recorded. This figure excludes those that went unrecorded. According to Grant (2014), Community protests leapt from 162 in 2008 to 314 in 2009 although most of the protests happened after the April elections.

As the country was preparing for the fourth general election, the situation in the country became volatile. The South African local electorate thus appear to believe that 'voting helps and protest works' when it comes to deciding on a repertoire of action to be taken to optimise service delivery in communities. Alexandra notes that protests are grassroots-based. Therefore, the triggers were increasingly national-level responsibilities (Municipal IQ, 2009; Alexandra, 2010: 29).

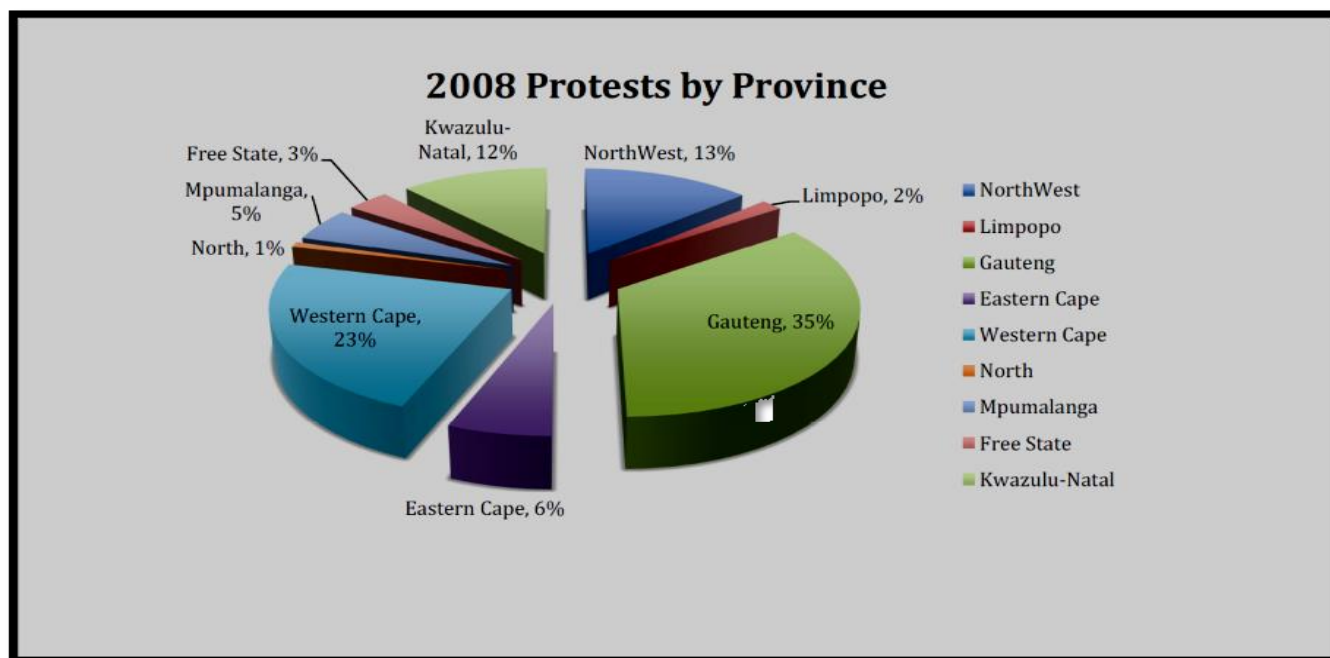
It is crucial to note that protest for services in the post 1994 democratic era date back to 1997. According to Bond (1998: 41), in the fourth quarter of 1997, nearly all municipalities began widespread cut-offs of basic services to non-payers. This growing municipal crisis emanated from the Department of Finance, which cut the crucial Intergovernmental Grants by 85% per cent between 1991 and 1997.

Mpumalanga Province has not been immune from violent protests for services that affected the South African municipal landscape between 2004 and 2010. On a national scale Jain (2011: 22) reported that Mpumalanga recorded 9% of protests for services. Most of the violent protests happened in 2009. The Ehlanzeni District Municipality recorded 50% of the protests followed by the Gert Sibande District with 39% while Nkangala recorded 11%.

Thus, for the purpose of this study, attention is placed on municipalities within the Gert Sibande District due to the fact that most of the protests that took place there turned violent and three of the seven local municipalities (Mkhondo, Lekwa and Dr. Pixley Ka Isaka Seme) were placed under administration.

From a national perspective, the province that recorded the most protests between 2004 and 2010 is Gauteng Province. It recorded 33% of the protests, followed by the Western Cape, Kwa-Zulu Natal and the Eastern Cape. One could argue that the population dynamics and the high demands of services in the listed provinces might be a contributory factor to the high number of protests (See the figure below).

Figure 3: Indicators of protests by provinces in 2008



Source: Adapted from the 2011 Report by Jelani Karamoko and Hirsh Jain

In terms of the [figure/pie-chart] illustrated above, the Northern Cape recorded (1.8%) the far less protest for services as compared to other provinces. This is due to the fact that the province is sparsely populated. Interestingly, most metros experienced a considerable number of protests amidst the fact that they have the capacity to deliver services as compared to Category B municipalities that have capacity problems.

This statement doesn't pre-empt the fact that protests for services occurred in metros due to capacity constraints, but rather insinuating that there are far more challenges beyond capacity that are affecting municipalities. Amongst them are the following impediments: poverty, unemployment and inequality. These factors also affect the performance of the economy (Nyela et al., 2011; Chikane, 2013:141).

IDASA (2012) is of the opinion that, 'the effectiveness of good local governance needs to be judged by the capacity of local government structures to provide an integrated development approach to social and economic development issues and to

supply essential services congruent with the needs and desires of the local communities'. Local Governments are dependent on the central government for their powers and have no direct constitutional authorizations or guarantees (Baradat, 2003:127).

Other scholarly articles on protest for services have argued that most protests that ensued in South Africa were as a result of poor service delivery, maladministration, corruption and nepotism by municipalities. On corruption, for example, Von Holdt et al. (2011: 51) point out that a protest that erupted in Kungcatsha Township in Mpumalanga was as a result of the missing R30 million from the Council coffers. In Nyela et al. (2011: 2) the feelings of betrayal over skewed material opportunities contributed to the protests in South Africa.

Jain (2011) acknowledges the same phenomenon. He notes that the protests between 2007 and 2010 occurred in winter periods. One could argue that the load shedding saga which resulted in power cuts around South Africa and the Xenophobic violence that started in Alexandra in 2008 where 61 innocent people were killed are amongst the contributing factors (Jain, 2011; Mottiar and Bond, 2012: 312).

Von Holdt et al. (2011) and Mottiar and Bond (2012) are of the opinion that some of the service delivery protests which occurred in South Africa were as a result of dissatisfaction with public service delivery in general. The following were identified as the main causes that triggered service delivery protests in South Africa in 2010:

- Lack of/poor service delivery (water, sanitation, electricity, refuse removal), lack of/inadequate housing, evictions;
- High levels of unemployment;
- Lack of communication with communities
- Lack of leadership in the municipality
- Corruption, nepotism, maladministration; and financial mismanagement.

Mottiar and Bond (2012) draw a distinction between types of protests. They singled them out as xenophobic protests, i.e. protests that take a xenophobic turn. These were recorded by journalists as including looting, property destruction and vandalism. The two authors' further state that protests associated with service delivery and political accountability take the form of burning of tyres and barricading of streets (Wesso, 2011).

Palumbo (2010: xi) supports the idea of political accountability. He argues that it is a cornerstone of representative democracy. In his view, it represents the umbilical cord that connects citizens to their representatives. It establishes the channels of communication needed to legitimise the decision-making process and its outcomes; it further sets the side constraints necessary for making representative institutions responsive to citizens' wishes. Furthermore, it ensures transmission of legitimate authority to the executive and administrative branches of government and helps put under scrutiny the activities of unelected officials and civil servants.

What is most puzzling about some of the protests in South Africa is the manner in which they are coordinated. To some extent, it is difficult to understand how the burning of a public property assists in settling scores. It is crucial to distinguish between genuine protests for services and intra-party political disgruntlements that have taken shape or influence protests as well as mere demonstrations due to demands made by community members that are not taken seriously by the public representatives. Nyela et al. (2011) found that in some instances where ward councillors are not visible in areas that they ought to serve, they are part of the protests.

In Alexandra (2010: 29) there is a pervasive sense that the state disrespects people by lying to them during election times and by failing to listen to them at other times. Where councillors are present, he says, they most often function as a means of top-down social control aiming to subordinate popular politics to the party. However, it is important to note that there are undoubtedly some councillors who live alongside

their constituencies and do their best to articulate popular concerns. But where they are absent, or operate in a top-down or corrupt manner, space is opened up for new leaders to fill the void.

In a study conducted by the Centre for the Study of Violence and Reconciliation (Mottiar and Bond, 2012: 315), it emerged that in some cases, the protest is generated as an opportunity to oust political opponents and to reconfigure ANC power relations. Sometimes protests are associated with opportunities to access lucrative council business.

The Constitution delegates the responsibility of service provision to municipalities. Craythorne (2003: 141) and Davids et al. (2009) are in full agreement that, 'the Constitution requires municipalities to promote social and economic development. This requires an understanding of the words to promote social and economic development'. For this objective to be achieved, government policy, legislation, and financial regulation act as key determinants for the way in which municipalities set priorities and deliver services to the communities.

Bayat and Meyer (1994:36) emphasise the need for consultation between government and the community to determine and ascertain needs, resulting in a harmonious atmosphere. They warn about the danger of the absence of community participation. For Koelble (1998: 9), this is an institutional mechanism in the new constitution; it is the resulting structure of governance which serves as a major impediment to addressing the issues of economic development and service delivery.

Craythorne (2003) explains the phrase 'promote social and economic development'. He states that social development should be understood as meaning the development of a particular society. He continues to say that a broad meaning needs to be narrowed down to what municipalities should be responsible for.

Swanepoel (2000) warns against the over-usage of the term *development*. He argues that this concept has been misplaced or been miss-used over the last fifty years as it was used to placate unsatisfied people in order to get certain infrastructural development. Simply put, it has been used as a tool to marginalise and dis-empower the masses by powerful people. In the South African context, the outcry is on irregular tenders that are given to friends and comrades without following proper procurement processes and at times not even delivering the required service to communities.

Van der Waldt et al. (2002) make a clear distinction between services that ought to be delivered by Municipalities as services identified in Schedules 4 and 5 of the South African Constitution. These authors further argue that in order for the services to be delivered accordingly, the Public-Private Partnership (PPP) between Government and the Private sector needs to be reinforced. This argument is based on the following:

- They are output focused and they generate savings from integrating the design, building, financing and operation assets.
- They bring managerial expertise and better project definition.

Van der Waldt et al. (2002) provide the reasons why some municipalities opt for this mechanisation. They argue that it is because of insufficient financial resources and inability to provide good services at an affordable cost. Moreover, they provide solutions to the problem as: Capacity building, Corporatisation and utilisation of the Public-Private Partnerships. Van der Waldt et al further argue that in case municipalities are not able to provide municipal services themselves, they can choose to contract out the municipal service provision to the private or Non-Governmental Organisation (NGO) sectors (Ibid.: 178).

While on this point, Wenzel (2007: 48) elaborates on the remarks made by the World Bank on advising the liberal destruction of public-sector capacity as follows:

The World Bank, after decades of advising the literal destruction of public sector capacity, acknowledged the importance of building institutional and organisational capacity and now warns against excessive managerialism in countries with weak control or capacity. It suggests that civil servants increased flexibility will merely increase arbitrariness and corruption, but not improve service delivery and that drafting and enforcing complex public-private contracts require specialised scarce skills, thus the need to first strengthen rule-based compliance.

The trend of service provision by the NGOs has been widely utilised for various reasons such as: incapacitated municipalities, corrupt practices by some municipal officials, and slow pace of service delivery (Gumede and Dikeni, 2009: 3). This challenge has been reflected in the audit outcomes of some municipalities in South Africa who continually battle to receive clean audits from the Auditor General regardless of the advanced policies that govern municipalities like the Municipal Finance Act and Municipal Systems Act of 2000.

Akinboade et al. (2012: 185) argue that Local governments have been the principal providers, but have been hampered by a limited ability to bear the associated costs, especially where population density is low and service delivery is costly or difficult. Most rural indigent municipalities are not going to survive this situation since most of them are solely dependent on government grant as a source of income. The Majority of people in rural areas are unemployed and paying for services is not an option when they are available to be delivered to them. Clapper quoted in Wessels et al. (2014: 26) argues that from a social contract perspective, the individuals making up society have devised and become party to an arrangement whereby certain services will be rendered to them by a structure of a public institution which will provide the required funds.

Davies (2004) also concurs that, among the many challenges facing public service institutions in developing countries is corruption. It remains one of the most pervasive and yet the least confronted challenge. It is a central challenge to equitable and sustainable development. Corruption undermines the key foundations of a democratic system. However, Davies (2004) offers some solutions to the problem. In his view, curbing corruption requires understanding and action at both policy and institutional levels. IDASA (2010) states that the other contributing factor is that ward communities are not fully operational, resulting in poor communication with communities.

Whether municipalities as the third tier of government have the required capacity to implement such actions in developing countries remains a big question. The assumption here is not that municipalities in developing countries do not possess the required competency to deliver services to communities; this has been evidence of the constant poor audit findings by the Auditor General.

Akinboade et al. (2012) offered causes of protests for delivery of basic services in most developing countries:

- Lack of accountability, transparency, and commitment in making services work for poor and marginalized citizens.
- Lack of implementation and absorptive capacity of government agencies and citizens, respectively, are problems that hamper efficient service delivery.
- Inadequate targeting of the poor, supply-driven planning, elite capturing of programmes, and
- Lack of voice of the poor and their inability to reach the government and service providers, are among the most common reasons.

Gumede and Dikeni (2009) Politicians no longer have the respect of the public. Very few of them appear to have a social conscience or to believe in anything greater than their own achievement) point to the lowest level of optimism by South Africans towards the ability of their public representation in delivering services to them. Even the renowned Archbishop Desmond Tutu once said, 'South Africans have lost idealism. Politicians no longer have the respect of the public' (Ibid.: 2009).

The statement above corroborates the words of the then President of South Africa, Mr. Thabo Mbeki and Rossouw (2010) that, protests at municipal level against poor services and corruption are at an all-time high in the post-apartheid era and the tone of public debate is increasingly becoming tense.

In a study conducted by Von Holdt et al. (2011) on the eight case studies of community protests and violence, the following observations were made:

- The community protests against poor service delivery
- Corruption and the lack of consultation with communities by government often flared into violence between protesters and police, and
- Not infrequently involved episodes of xenophobic violence as well.

2.6 Importance of Community Participation in enhancing service delivery

After the 1994 democratic elections, there was an urgent call for people's participation in the running of government functions. This call was pioneered by the African National Congress which argued that all South Africans should have the opportunity to participate in the economic life of the country (Everatt, 2008: 301; Burger, 2005: 488; and Layman, 2003:12). This is evidence of the process of deepening democracy, where it is seen as a government of the people, by the people for the people (Keulder, 2010). Some social contract theorists support the idea of a democracy in local government (Geldenhuys quoted in Bekker, 1996: 11).

In Jean Jacques Rousseau's words, government for the people is the idea that the government exists for the sake of its citizens, not for the benefit of the rulers. Thus, this warrants collective self-rule. Aristotle was of the view that Democracy is a true or good form of government (Baradat, 2003: 62-67), while Karl Marx postulated that it creates conditions under which individuals will experience the greatest state of well-being (Bayat and Meyer, 1994: 36).

The United Nations Agenda 21, for example, calls broad public participation one of the fundamental prerequisites of a sustainable society. It places particular emphasis on the need to open the decision-making process to groups traditionally absent from the political arena, i.e. indigenous people, women and the youth (Geczi, 2007: 379). Mabungizi and Gray (2011: 217) note that the provision of local public goods and services can be more effective when, through participation, users and other stakeholders are given a say in decision making.

Eversole (2011: 55) espouses the view that beyond the participation of citizens as individuals, there is a growing interest internationally in the participation of communities of people in the formulation and implementation of policy. These may be communities of interest and communities, given their locally situated knowledge and the policy insights that this local knowledge can provide. According to Bartley (2004, 38), in principal-agent theory, they are 'principals' in the sense that politicians, as agents, seek their mandate from and act as the representatives of the public.

This idea brought in the nexus of delivery of service to the mass extension of service coverage to previously disadvantaged communities. The term 'community ownership' became part of the service delivery vernacular. This required more community participation in government projects, hence it became an important tool for government to interact with the electorate. This part of participation according to (Bekker, 1996:7) will simultaneously have to be accompanied by tolerance and mutual respect for, without political tolerance, democracy cannot thrive.

The greater possible participation in public policy and decision making can be secured by accepting the ethical principle that each citizen of a country has the democratic right to participate in decision making in all those areas that have a direct influence on his or her life (Bayat and Meyer, 1994: 38). Clapper quoted in Wessels et al. (2014:5) argues that ethics is not the primary goal of government, but is rather instrumental to the government achieving the primary or intrinsic goals that constitute the reason for its existence. Roux (2002: 81) asserts that ethics refers to the guidelines which direct the conduct and activity of staff in public institutions and which might be called moral laws.

Roux (2002: 73) defines public policy to mean whatever government chooses to do or not to do and it is proposed action of government or guidelines to follow to reach goals and objectives, and is continuously subject to the effect of environmental change and influence. Roux went further to argue that policy can never be static but should always relate to current issues in society and should constantly be adapted to match the impact of environmental variables and influencing factors.

Putu (2006: 12) argues that, community participation can only be a learning process only if the people really participate. Participation does not mean that people should be brought into a project when the physical labour is required. By that stage people should already have been involved for a long time. There is no stage for people to begin to participate than right at the start of the project. People should not only do, but their right and ability to think, seek, discuss and make decisions should also be acknowledged and appreciated.

Community participation is pivotal in meeting and improving basic service delivery by municipalities (Layman, 2003: 47). Citizens' feedback becomes an effective means for improving the performance of public services as it can be used to demand accountability from providers, especially when there are no alternatives due to regulation in the delivery of services (Akinboade et al., 2012).

Madison (in (Baradat, 2003:118) propagated for pluralism; in it he argues that it recognises that the individual must join with the other people to achieve his or her political goal. Eversole (2011:55) notes that citizen participation and co-governance have emerged as a significant policy strategy in Western countries, based on the proposition that citizens and governments provide services and policies more effectively when working together.

The importance of community participation is that it allows people to partake and interact with project coordinators or stakeholders as and when projects are implemented. But in some cases, it is the opposite. People are just used for numbers in the pursuit of constant financial support by donors or government institutions. Mabungizi and Gray (2011: 217) argue that challenges of meaningful community participation in the delivery of public services are rooted in the historical, socio-economic and political circumstances of the country, as well as the structural constraints of increasingly privatised social services. These points to the complexity.

Swanepoel (2002) is of the opinion that very few institutions are concerned with development; and that they will question the idea of participation, but the interpretation of participation by many of them will be questioned because it is phrased in a way that will serve the interests of a particular institution, not all. Whitaker (1980) concurs that citizen participation influences the content of many public services through their direct participation in service delivery. This is especially the case in services designed to change people directly rather than to change their physical environment.

Most economic activity, including that of many public agencies is directed toward the production of goods. However, Burger (2005: 3) argues that participants who are illiterate or poor are often underrepresented in community committees. The other contributing factor is that in some instances ward communities are not fully operational, resulting in poor communication with communities (IDASA, 2012).

De Vries (2007: 145) argues that, 'Citizens are not only customers receiving products from a service delivery agency, but also, and perhaps principally, active participants who have to be able to influence those decisions by which their own situation or that of others is significantly affected. It belongs to basic democratic rights that citizens can indirectly and directly influence, participate in and co-produce policy-making processes'.

The aspect of broad scale citizen participation, which has received the most attention in the United States, is voting. But, in the past decade and a half, other citizen activities which influence decision makers have been studied. Verba and Nie for example, included under citizen participation 12 types of activities, all of which are techniques for influencing policy choices of decision makers.

In particular, there is resilient evidence of constraints on the capacity both of the community and of local service providers to respond in the way envisaged by Ministers and their advisers. A key problem has been lack of real power and influence of the voluntary and community sectors (Foley and Martin, 2000).

While keeping the idea of openness and transparency, Gumede and Dikeni (2009) recommend that there should be a consistent willingness to engage with people, to discuss openly, to listen to and incorporate concerns on the ground and encourage transparency and accountability. In the absence of the latter, Nyela et al. (2011) warn of protests which would give rise to a form of constant community participation meetings.

According to IDASA (2012), for democracy to materialize at the municipal level, citizens have to be given some role in these processes. According to Wolff (2006:93), public participation is associated with the view of preserving freedom and equality. Nothing less can be ultimately desirable than the admission of all to share in the sovereign power of the state.

Bratton et al. (2005: 41) concede that for public participation to be effective citizens should 'be concerned about public affairs and political life, they should be well-informed about issues, candidates and parties should be engaged 'often with fellow citizens in deliberations on public matters'. Furthermore, citizens should require cognitive engagements in public affairs. On the same wavelength Bekker (1996) supports the idea of a community with strong negotiating skills and knowledge of the complexity of the South African population, which will add value in taking government head-on with regard to the provision of services to its inhabitants.

De Vries (2007: 144) and Geldenhuys (quoted in Bekker, 1996: 45), singled out key reasons why public participation is crucial as follows:

- It has everything to do with democracy. Policies which have an effect on groups in society have to be supported by these groups. Seeking the support of societal groups enhances public participation.
- It has to do with the stability of the political system.
- Alter political power patterns and resource allocation
- Protect individual and minority group rights and interests groups
- It assist in evaluating the government programmes and act as a constituent in a form of electoral activity
- It needs external as well as internal support. They have to maintain a favourable public image and should (internally) bind parochial group egotism to larger loyalties and aspirations. A lack of support or positive evaluations can also result in a lack of trust. Such support can be ensured by cultivating and maintaining supportive relationships among an alliance of individuals, groups and organizations key constituents—who are willing to take action on behalf of the agency.
- Policies tend to become better in a qualitative sense if they are co-produced by the policy-makers and the target groups. The variance of ideas implies that more information is gathered and taken into account

before reaching a decision. The transparency of the policy is also enhanced and therefore its controllability and accountability.

- Policies tend to become more moderate. Particularly in public policy-making not only the costs and benefits as such but also the distribution of the benefits and costs over different groups in society is at stake. To seek support from all involved parties will result in a more reasonable distribution of the costs and benefits over advantaged and disadvantaged groups in society.
- External support and co-production prevents paternalism which is a serious danger when policies are developed over the heads of the people involved.
- Public support and public participation can result in a decrease in the ambiguity policy-makers might face. As March and Feldman argued policy problems and solutions often suffer from ambiguity about the concepts. The main problem is often not the lack of information but the differing interpretations and valuations of this information.
- Support for policies increases support for the policy-makers themselves. The elected ones, in particular, gain in the probability of being re-elected. It is clear that when the policies they have proposed, enacted and implemented are judged favourably by the public in general, the public will be more inclined to re-elect them.
- Public participation may have an intended side-effect on the knowledge of participants. Their knowledge and awareness about the issues under consideration may increase; it may reduce the risk of violent confrontation and may make it clear which options are considered.

There are notable advantages and disadvantages associated with community participation. The more local government becomes larger, the more complicated optimal citizen participation will be. Brynard offers a case study that was conducted in Sweden about citizen participation in a larger local government. The findings revealed that citizen participation in a local government with more than 8 000 people

is less sensible. The study found that if they calculate 2% of the active population of 8 000, it amounts to 160 active participants. Therefore, this means that in a population of 50 000 only 1 000 would be regarded as active participants (Brynard quoted in Bekker, 1996: 43).

These results are a cause for concern for metropolitan municipalities that are experiencing constant service delivery protests. The South African government has put systems in place to address this challenge by introducing the Ward Committees system that is aimed at inducing a relationship between the political representatives and communities in general. Whether this initiative is optimally utilised by both stakeholders will be tested in the following chapters.

2.7 Advantage and disadvantages of community and citizens participation

Community or citizen participation is not an end in itself in influencing the outcome of the government's commitment to deliver services to its people. An active citizenry can have a positive influence on what, how, and when government can deliver services, through a proper consultation process with stakeholders at a reasonable time to uplift the standard living of its people. Notwithstanding the fact that there is the importance of participation by community in government programmes, there are advantages and disadvantages associated with participation.

Theron (quoted in Davids, 2009: 112) stresses the weakness accompanying public participation and highlights the following points. Firstly, that development planners and practitioners have undermined the need for decentralisation and participation of the public in their own development in that the conception and operationalization of public participation have not been matched by practical and sound theoretical underpinnings. Public participation has been used as a buzz word, ad hoc and incremental. Secondly, that the disillusioned beneficiaries often take to the streets to protest against new resolutions being taken again and again.

Clapper (quoted in Bekker, 1996: 70-77) singled out the advantages and disadvantages of citizen participation as listed in the table below.

Table 1: Advantages and disadvantage of community participation

ADVANTAGES OF COMMUNITY PARTICIPATION	DISADVANTAGES OF COMMUNITY PARTICIPATION
• Reduction of psychological suffering and apathy • Positive application of citizen powers • Willingness to sustain deprivation • Converting opponents • Information dissemination • Restraining the abuse of authority • The inalienable right of citizens • A critique	• Low citizen participation levels • Threat to professional image of public administration • Potential for conflict • Lack of government response • Attitude of public managers • Representativeness • Time, cost and benefits and, • Lack of information

Source: Clapper (quoted in Bekker, 1996: 70-77) advantages and disadvantages of citizen participation.

2.8 Conclusion

The current challenge of protests for services in South Africa will take many decades to be resolved if the current state of affairs remains unchanged. The challenge has affected both the metropolitan and district municipalities regardless of their resource base. As mentioned earlier in this chapter, the issue of adequate resources has not eased the pressure to metropolitan municipalities because they too experience more protests for services. The success of present initiatives will therefore depend on the willingness of local councils to cede power and control of resources, and decision making and implementation processes to communities (Foley and Martins, 2000).

As demonstrated above, rapid urbanisation can also be blamed for protests for services due to the fact that vast numbers of people are migrating from rural areas to urban areas in search for prosperity. Unfortunately, they find themselves in urban-

poverty. Some of those who migrate to urban places are unemployable; the labour sector cannot absorb them. According to Bekker (1996: 5) the rapid urbanisation has become a major cause for concern. It is estimated that by 2010, 69% of the Black population will be urban and 32% will be rural.

This challenge will indeed add more pressure into the local authorities and the ailing system within municipalities to deliver services to them. If this problem is not urgently addressed, it might lead to a situation that cannot be managed that could result in a breakdown or total absence of essential services (Bekker, 1996:6). On the issue of poverty, Bratton et al. (2005: 176) suggest that poverty forces individuals to preoccupy themselves with daily survival, poor people may be relatively unconcerned with debates about democratisation.

The other challenge facing local municipalities is capacity to implement projects and raise revenue aimed at providing basic services to communities (Layman, 2003: 48). This has been envisaged by some municipalities in both rural and urban areas that are facing a huge challenge of delivering services to their constituencies because they operate without a composite structure of qualified personnel like: engineers, technicians, human resource practitioners and other skills personnel required to fulfil the task as per the Municipal Structures Act (Layman, 2003: 54).

Burger (2005: 487) is on point in this matter; s/he argues that the effectiveness of service delivery is a function of both the skills and knowledge of the individuals involved. As community representatives and provincial staff in poorer areas are often less skilled and educated, service delivery in these areas is thus likely to be inferior in quality and quantity.

Municipalities need to address the matter of capacity urgently to smooth the running of its affairs and implement its policies effectively. This could be done through the development of human resource capacity to a level that enables it to perform its functions and exercise its powers effectively, efficiently and economically.

Lack of political will to address the challenges facing struggling municipalities is a matter that needs urgent attention to quell tensions around protest for services. The other matter that needs to be addressed is electoral realignment which has the potential of weakening political control and thus creates more volatile political systems. The chapters that will follow will test whether the above-mentioned hypothesis can be tested.

Jain (2010) asserts that municipalities should seek to strengthen communication networks between government officials and the communities they serve. Improving the effectiveness of communication with communities with respect to development issues and progress on the delivery of services can help combat the alienation protestors often feel toward local government, the belief that there is little other outlet for public participation than violent uprisings.

Flowing from the above, the next chapter provides the definition of the key concepts used in the study. This will assist readers in understanding the context in which each of these concepts is used and thus follow the discussion with ease.

CHAPTER THREE

DEFINATION OF CONCEPTS

3.1 Introduction

The previous chapter reviewed the literature on the theme of this study. This chapter deals with the main key concepts that are used in the study. The rationale behind this is to give the reader a clear understanding of the key concepts used. This is done through the use of words and examples in order to arrive at specific definitions.

3.2 Service Delivery

There is no official definition of the word service delivery in the Oxford Dictionary as mentioned previously in Chapter 1 of this study. This term is divided into two sub-concepts i.e. “service” and “delivery”, which makes it an oxymoron concept. For example, *service* refers to a type of economic activity that is intangible, is not stored and does not result in ownership. On the other hand *delivery* is referred to as an act of delivering a particular service to a beneficiary (Oxford Dictionary). Service delivery is a contractual relationship that exists between the government of the day and its voters, regardless of their party political affiliation. In South Africa, for example, this term is sometimes misplaced. Community members have a perception that government should render or deliver all services at no cost due to their socio-economic well-being.

Other commentators have offered various definitions of service delivery, while some have attempted to make a clear distinction between public and private goods. They argue, for example, that public goods are those goods that are delivered by different governments at various spheres of governments (Durant and Fitzgerald, 1980: 585). Service delivery is the end-product of a chain of plans and actions involving municipal, provincial plans and national budgets. It is also crucial to note that service

delivery is a crucial responsibility of government and government institutions, since it rests from public administration and management of government.

Akinboade et al, (2012) define service delivery as the provision of public activities, benefits or satisfactions to the citizens. These services come at a cost. Citizens are expected to pay for such services, although “there are free basic services such as water and electricity” (Mottiar and Bond, 2012: 4). One would argue that, in most cases where protests for services erupt, the *modus operandi* for those protests is not solely about the delivery of basic services but deep-seated political dynamics that found their expression in the manner in which the basic services are provided.

Within the context of government a service can be associated with many variables such as: the provision of housing, electricity, access to portable drinking water, refuse removal and recreation. On the other hand delivery means an act of providing a particular service by a government institution to the people at a particular given time.

The term *service delivery* in the context of this study is simply a process by which government through a municipality delivers certain services to its electorates within a policy framework (Fitzgerald and Durant, 1980: 585). This term, in South Africa, is commonly associated with the delivery of basic services that government is constitutionally obliged to render to its citizens uninterrupted as enshrined in the Constitution of the Republic of South Africa, Act 108 of 1996. This makes the process of service delivery a crucial responsibility of government and government institutions, since it results from public administration and management of government.

These services, accordingly, are aimed at improving the general welfare of the people and to promote the common good (Crous, 2004: 574). Thus, putting municipalities at the core of delivery cycle is critical, making it a centre-stage in ensuring the provision of services which have a direct and immediate impact on the quality of the lives of the people (Wallace and Pichler, 2008: 255). Brand (2015: 117) asserts that government functions and services are provided not only by the

respective national government departments, provincial departments, and municipalities but also by a whole range of public entities, which are organisations created by law to provide specific public services, often of a commercial nature.

These services delivered by municipalities are tangible and non-tangible. The implication is that non-tangible or intangible goods are those goods that cannot be seen, touched, held, or stored. Rather, they are placed on a continuum of intangibility. Even if it can be said in extreme terms that pure services are intangible and pure goods are tangible, most services and goods exist between the two extremes of the intangibility continuum, having both tangible and intangible elements.

The tangible services in the municipal context would relate to the provision of water, shelter and electricity. The intangible services would be in the form of the Rights that are provided for in the Constitution like, for example, the right to basic services. This statement is supported by Le Chen, et al (2014) who aver that service delivery is a common phrase in South Africa used to describe the distribution of basic resources citizens depend on like water, electricity, sanitation infrastructure, land, and housing.

It is crucial to note that the people have different needs, which in turn makes their expectations to differ depending on their locations. For example, people in the townships might require a different service from government than those in the rural areas. In a study conducted by Fitzgerald and Durant (1980: 592) on Citizen Evaluations and Urban Management, they found that urban residents differed substantially in terms of their overall satisfaction with essential municipal services and in their desire for additional influence over the provision of such service.

It is important to note that some needs are unique while others are different depending on the needs of different communities. What is unique in most communities is the challenge of unemployment, mostly amongst the youth. The unemployment rate in South Africa increased to 26.40 % in the first quarter of 2015 from 24.30 % in the fourth quarter of 2014 (Trading Economics, 2015). Jili (2012: 34)

warns that high unemployment, low income, slow pace in the land reform process and poor service delivery are likely to spark protests on a regular basis by disgruntled shanty-town dwellers and other disaffected groups, some of which may turn violent.

This high rate of unemployment puts indigent municipalities (municipalities that have a large number of rate payers who cannot afford to pay for their services) under pressure to deliver services to their electorates. The expectation by community members is that such services need to be delivered uninterrupted, regardless of paying for services. This puts most municipalities under pressure, by redirecting certain funds to the most pressing needs while on the other hand compromising other crucial projects. Constitutionally, government finds itself in a difficult situation to satisfy its people. Despite any challenges it might encounter, it is obliged to render such services to its people whether a municipality is indigent or not. It is crucial to note that access to services such as: portable drinking water, shelter, health care, and electricity, are a basic right to which everybody is entitled.

Sections 26 and 27 of the South African Constitution explicitly define the basic services and compel the State to take reasonable legislative and other measures within its available resources to achieve the progressive realisation of each of these rights. Public services are not a privilege in a civilised and democratic society, they are legitimate expectations (Crous, 2014: 575). From a civil point of view, one would agree with the latter statement, however poor people on the ground would never buy the story. For them, the provision of public services remains a privilege, since they ought to be provided as a result of the social contract they have with their political party. This doesn't matter whether their political party of choice contests or wins the election. Services should be provided to communities in an uninterrupted manner.

Pape et al. (2002:4) support this statement by stressing that the Bill of Rights 'granted all South Africans the right to have access to food and water and to an environment that is not harmful to their health or well-being. But, the State can deliver these socio-economic rights services within the available resources'.

This could be done through the use of the municipality's own resources such as: finance, equipment and employees. A municipality may also choose to outsource the provision of services, through hiring someone to deliver those services. However, some municipalities are battling to fulfil this mandate. The national government is doing too little to retain and attract qualified personnel at the municipal level. Part of the problem could be associated with the politicization of municipal affairs by both the public representative and municipal officials.

Crous (2004: 574) argues that the state delivers services because citizens are unable to satisfy all their own needs. Thus, activities of public administration are the logical consequence of the practice of service delivery from the earliest times. These are done through the formulation of laws, thus ensuring that institutions are in place to implement laws, and provide services within the prescribed prescripts.

This is not always the case. Some municipalities are not adhering to the laws governing municipalities. Most municipalities are not proactive, especially when coming to communication challenges that are related to the provision of services. This has resulted in a lowered trust communities have in their municipalities. This results in a constant tense relationship existing between the government and the people. Le Chen et al (2014) concur that government's delivery and upkeep of these resources is unreliable, greatly inconveniencing or endangering whole communities.

Wood and Dibben (2010: 70) note that the early 2000's saw a proliferation of new social and community movements of the poor, putting pressure on the ANC to deliver. Poor communities mounted protests around issues such as the payment of market-driven prices for social services, and drawing on the culture of payments boycotts under apartheid. What is clear from the discussion thus far is that unmet people's expectations in terms of service delivery result into protests.

3.3 Protests

The term *protest* is defined as an act of dissent or disapproval (Revised Oxford English Dictionary, 1996:720). According to Wallace and Jenkins, quoted in Jenkins and Klandermans (2005: 50), a protest is defined as a process of participating in unconventional or non-institutionalised political action. Protests vary depending on their negative sanctions to influence non-institutionalised targets. Protest in South Africa takes many forms, some are associated with the inability of government to deliver on its electoral promises such as water, electricity and housing.

Mottiar and Bond (2012: 5) note that the understanding of protest is that, “contentious politics is useful in that they employ a definition of contentious politics as public collective action which is episodic, involves interaction between makers of claims and others, is recognized by those others as bearing on their interests and brings in government as a mediator, target or claimant”.

Most protests for services in South African townships, as alluded to in Chapter 1, happen spontaneously. Most of them tend to surface during the winter period and during election time. Some commentators of protests and social movements argue that communities are utilizing these periods to pressurise the ruling government to deliver services due to the fear of losing votes in the election. Others argue that during the winter seasons, the demand for the electricity usage in the country goes up and causes power cuts. The most affected places are slum areas where there are reported cases of illegal connections (The Guardian, 2009).

Once the power grid is not restored in time, some community members will take to the street to demand the restoration of electricity which, in some cases, might take days to fix depending on the damages of the transformers. Failure to resolve the matter has seen a growing number of people joining protests demanding services from their respective municipalities (Ibid., 2009).

Ronald Aminzade quoted in Jenkins and Kladermans (2005: 18) argues for the collective behaviour and mobilisation theories. Under collective behavioural theory, he emphasised the importance of formal organization only in the later stages of movement development, while the mobilisation theorists emphasise formal organisation and planning.

For the above theories to be prevalent, media in the form of print or press will shape the course of action because they play an important role in exposing and assisting in shaping the manner in which protests take place in South Africa and elsewhere in the world. Without media attention on the protests, some protests will not even see the light of the day. Protest leaders use the media to direct their anger towards the government and seek publicity.

Lipsky (1968: 1151) attests that, when protest tactics do receive coverage in the communications media, the way in which they are presented influences all other actors in the system, including the protesters themselves. Lipsky further notes that a number of authors have noticed that the success of protest activity seems directly related to the amount of publicity it receives outside the immediate arena in which the protest takes place (Lipsky, 1968: 1151; Mottiar and Bond, 2012: 1-2).

At times it is difficult to predict where a protest will occur. But some happen due to a lack of communication between elected councillors and community members and infighting between those that are in power and those that want to ascend into power. The governing party (ANC) has admitted that part of the challenges that perpetuate the protests for services could be related to the deep seated triple-challenges of poverty, inequality and unemployment which most poor South Africans are faced with on a daily basis. It has emerged that in most cases when protests occur, the criminal elements also kick-in, as shops belonging to foreign nationals and state facilities become the prime targets.

Van Rooyen (2002: 139) argues that poverty has many causes; therefore a single solution to this problem will not be a panacea for the poverty related problems in South Africa. Effective strategies for tackling the problems of poverty, development and environment should simultaneously focus on resources, production and people. The following should be considered when addressing this scourge: demographic issues, enhanced health care and education, the rights of women, the role of the youth and indigenous people and the role of local communities in development.

There are three different types of protests for services. These are: marching, riot and legal action. In some areas protests are associated with the fallout between the state and the citizens while some take the form of submitting a petition or a memorandum to the relevant authorities. Trevor Ngwane quoted in (Mottiar and Bond [2012]) categorises three phases of protests:

- The first phase occurred in the mid- and late 90's and was related to discontent over municipal services, housing and the lack of infrastructure.
- The second phase of protest took hold in the early 2000's and is linked to the rise of the new social movements such as the Anti-Privatization Forum (APF), the Soweto Electricity Crisis Committee (SECC) and the Treatment Action Campaign (TAC), and
- The third phase of protest refers to current protest actions. This includes local community uprisings and militant national strikes but which do not exhibit sustained ideological tendencies of either the 90's Mass Democratic Movement or the 2000s new social movements.

Protests related to community justice often involve citizens seeking out alleged thieves, rapists, muti-killers and perpetrators of various crimes within their communities and taking it upon themselves to hand out punishment. While community-based restorative justice mechanisms are often laudable, there is the danger of vigilantism, a culture tolerant of citizens taking the law into their own hands

whenever they feel that justice is delayed by state institutions (Mottiar and Bond, 2012).

Ward and Ostrom (2006: 221) define protesting as an effort to articulate what is perceived as unjust and why the injustice prevails. They further assert that protesters not only identify what is unjust, they also identify who is responsible. Thus, protesters usually identify who is responsible for an injustice, often targeting the leadership of particular groups or institutions.

Protesters often stereotype those they identify as responsible for an injustice as not just mistaken or wrong but evil. In Mottiar and Bond (2012: 5) framing is limited to activism by the efforts of established movement organizations and neglects informal processes that precede the formation of movement organizations or that take place outside of them.

Indeed, the manner in which protests emanate across the world vary. For example, Chile in South America and Montreal in Canada have adopted banging of pots and pans as a symbolic way to display their dissatisfaction towards government. In the case of protests related to service delivery and political accountability, burning tyres and barricading roads seemed to be the most favoured tactics of protest in that study (Mottiar and Bond, 2012). In South Africa, the burning and destroying of public facilities like libraries and clinics as well as barricading streets are the caricature of dissatisfaction shown by the voters against poor delivery of services.

Hilliard quoted in Bekker (1996) is of the opinion that if consumers are dissatisfied with a municipal service, they may approach the local authority directly. They can pursue the matter until they are satisfied that they have the value for money. They also have an option of withholding or delaying payments to coerce the authorities to take action on their concerns.

This explanation provided by Hilliard is correct and can be implemented in municipalities that are self-sufficient as opposed to municipalities that are likely to be put under administration due to non-compliance with the Municipal Structure Act governing them. However, the capacity to deliver services within municipalities is a matter of concern which impacts negatively on their performance. For example, in the 2010/11 financial year only 2 out of 21 municipalities received clean audits. In consecutive years, 13 out of 19 Audited Municipalities used consultants. This amounted to 69% of their time and was due to lack of technical skills (Mpumalanga Newspaper, 2013).

Some municipalities are struggling to provide services to their communities due to the non-payment for services such as water and electricity by both the Provincial and National Governments to municipalities. This is a huge challenge because certain municipalities are indigent and cannot collect revenue but dependent on the state for survival. Secondly, the affected municipalities will not be able to discharge or perform their legislative functions of providing services to communities on time. It remains to be seen whether municipalities will switch off water and electricity for its bad creditors be it provincial or national, but will not hesitate to switch off when owed by community members.

In its annual financial report of March 2010, the National Treasury reported that national consumer debts amount to R56.8 billion as at 31 March 2010 (unaudited figures) while R290 million in bad debts had been written off. Metropolitan municipalities were owed a total of R30.6 billion as at 31 March 2010. Consumer debts owing to secondary cities increased from R11.5 billion in the second quarter to R11.9 billion as at 31 March 2010 and had increased from R10.7 billion to R11.9 billion or 11.2 per cent from the corresponding period in the previous year (Delivery Agreement for Outcome 9, 2010: 16).

However, challenges experienced in enforcing debt collection and an increase in the aged debts (i.e. outstanding debts of more than 90 days), as well as a high level of

indigents and the culture of non-payment impact hugely on the financial viability of municipalities. Not all municipalities have the same capacity to raise revenues, as levels of poverty vary considerably and are particularly high in mostly rural municipalities (Ibid.: 16).

Most people who happen to be the leading wave of protesters are the unemployed youth across South African townships and rural areas. Wallace and Jenkins (2005: 49) support this argument. They argue that the youth is prone to protest. Moreover, education leads to greater tolerance for political expression and hence protests.

The impact of protests for services in townships and rural areas differs. During most township protests, media plays a vital role in exposing the impact of the protests while in rural areas the picture might be different. In rural areas, one can argue that the impact of Traditional Leaders might have a particular influence in the behaviour pattern of community members mostly in terms of the conduct of protesters (Papic and Noonan, 2011).

Mottiar and Bond (2012) argue that, 'the ANC government's neoliberal economic policies have amplified poverty and inequality'. It is no surprise that protest activity has mainly emanated from shack settlements and townships rather than the better resourced suburbs. Inadequate service delivery and lack of accountability by local Councillors are nearly ubiquitous as justifications for protest marches, leading some to distinguish between service delivery and public service.

3.4 Municipalities

The English word *Municipality* is derived from the Latin social contract *Municipium*, meaning duty holders or free city, referring to the Latin communities that supplied ancient Rome with troops in exchange for their own incorporation into the Roman state (granting Roman citizenship to the inhabitants) while permitting the communities to retain their own local governments a limited autonomy (Wikipedia,).

The term municipality is a generic term, and can describe any political jurisdiction of a sovereign state, such as the Principality of Monaco, or a small village, such as West Hampton Dunes, New York. Municipalities have an obligation to build the capacity of local communities to participate in these processes as well as the capacity of councillors and staff to foster community participation (Smith, 2008: 7).

According to Rossouw (2012: 80) and Madumo (2011: 3), municipalities consist of the governing structures and administration on the municipality and the residents and communities in the municipality. Municipalities have a responsibility to encourage their communities and stakeholder groups to get involved in drawing up their Integrated Development Plans. Municipalities play an important role in ensuring proper, effective, efficient, and regular service delivery (Madumo, 2011: 2).

According to Layman (2003: 8), municipalities are responsible for the provision of basic services such as water, electricity, refuse-removal, and municipal infrastructure. These functions are performed within nationally and provincially set regulatory frameworks. A local municipality is governed by a municipal council elected by the voter's resident in the municipality on the basis of mixed-member proportional representation. The municipal area is divided into wards, the number of which depends on the population of the municipality, i.e. the size of the municipality. Piper and Deacon (2009) state that municipalities are expected to operate in a more democratic, accountable and participatory manner, and to complement their formal structures of representative government with a system of 'participatory governance' involving all residents.

There are currently 278 municipalities in South Africa, comprising eight metropolitan, 44 district and 226 local municipalities. The Municipal Structures Act, 117 of 1998 makes provision for the establishment of Municipalities. Out of nine provinces only five provinces (Gauteng, Western Cape, Eastern Cape, Free State, and KwaZulu Natal) are metros, leaving out Mpumalanga, Northern Cape, North West and

Limpopo governed under Categories C and B municipalities. A local municipality or Category B municipality is a type of municipality that serves as the third, and most local, tier of local government (Municipal Structures Act, 117 of 1998; Mubangizi, and Gray, 2011: 213; Naidoo and Reddy, 2008: 47).

Each district municipality is divided into a number of local municipalities. Responsibility for municipal affairs is divided between the district and local municipalities. A local municipality may include rural areas as well as one or more towns or small cities. In larger urban areas there are no districts or local municipalities, and a metropolitan municipality is responsible for all municipal affairs (Mubangizi and Gray, 2011: 214). The Constitution defines the areas and topics for which municipal governments are responsible. National legislation divides this responsibility between the district municipalities and the local municipalities.

Municipalities are envisioned as sites where a commitment to participatory governance would achieve meaning and content. Instead, communities feel alienated and disconnected from decision making processes and feel disempowered in influencing the affairs of the municipality (Ibid.: 214).

Tackling service delivery protests within municipalities is not a single responsibility of one sphere of government, but a concerted effort required from all spheres of government, without leaving the private sector aside, because when protests for services erupts not a single structure mentioned is spared from the interruptions and disruptions. All of them are affected in different ways. Research has shown that government's commitment to tackle this pandemic will not succeed if the dire and poor conditions most South Africans find themselves in are not addressed holistically.

In South Africa, the responsibility of delivering basic services to communities rests with municipalities. But for municipalities to deliver on their mandates, they need to tackle certain impediments such as poverty, inequality and unemployment. Without addressing these three challenges, most municipalities will continuously face a

struggle to function properly and fail to deliver on their mandates, which is often a recipe for protest for services.

On the issue regarding poverty and inequality, Powell et al (2014) warn that civic protests can be found in the extremely high levels of poverty in the country. The latest official statistics put the poverty head count at 56.8 percent. High levels of inequality accompany the high levels of poverty. Official statistics put the South Africans Gini coefficient at 0.7. Poverty on this scale is a serious concern, and eradicating poverty is a cornerstone of the National Development Plan published in 2011 and has been a major priority in government policy since for the Nelson Mandela's government of 1994.

Embarking upon this challenge will need all stakeholders to forge their heads together. This means that the private sector needs to be engaged and play its meaningful role. But a more transparent and accountable system will need to be emphasised.

It is crucial to strengthen the system of the Ward Committee, because most of the issues often do not find their way into, or are not prioritised in Council meetings, and thus fail to become reflected in the Integrated Development Plans of municipalities and project implementation for basic services can be non-consultative, biased or ad-hoc. The extent of the reported tensions between Ward Committees, Community Development Workers (CDW's) and Councils also undermines functionality, and indeed may indeed be one of the contributory factors in the escalation of community protests (GOGTA, 2009: 15).

More state penetration would be required, which refers to a process of establishing the presence, authority and visibility of the state or the ruling powers. Finer defines it as the ability of the government to act directly upon the population by its own agents, instead of through intermediate local bigwigs. It is about establishing control (Van de Walle and Scott, 2011: 10). It will be difficult for municipalities to have a healthy tax

base and properly budget for their IDP's if the economic status of community members remains unchanged.

According to COGTA (2009: 22), the B3 and B4 Local Municipalities are very vulnerable – both from a revenue generation and from an institutional development perspective. They are located in economically depressed areas and have difficulty in attracting and retaining skilled managers, professionals, and technicians.

It follows that some of these municipalities are seriously challenged to fulfil their obligations. They may be financially non-viable, articulate distress via heightened levels of community protests, and be particularly vulnerable to political control and poor. This requires that issue of funding for these municipalities would need to be addressed as a matter of urgency.

The manner in which the delivery of basic services has been politicised at the municipal level needs to be addressed as it constantly impacts on the process of delivering basic services to community members. Furthermore, the recurring problems of factionalism, corruption and nepotism are not doing justice to the plight of community members but put them in a disadvantaged stage to receive what is due to them constitutionally.

In a study conducted by Sinwell et al; (2009: 1), it emerged that the frustrations with government service delivery and the protests which result from this will remain part of the South African political landscape as long as people do not have access to basic services and are unable to find effective channels through which to express their demands.

The provincial assessment reports have provided substantive evidence of various serious irregularities, corruption, fraud, financial mismanagement and related wrongdoing. The capacity of national and provincial government to effectively resolve these

matters is weak and therefore significant emphasis needs to be placed on this matter in the Turnaround Strategy (COGTA, 2009: 19).

The manner in which protests for services manifest, tend to confuse because in some cases, community members protest for services that are not necessarily the responsibility of or fall within the powers and functions of local municipalities, but rather district municipalities or provincial and national government. Some do so out of ignorance while others simply act out of frustration or in pursuit of political agendas.

Koelble (2008: 13) argued that the effort by government to turn the local government into the agent of economic development has led to an unfortunate situation where certain political factions have taken control over municipal governance and are using this platform to foster their own self-interest. This poses a serious challenge to struggling municipalities not for delivering services to communities but also for survival. Municipalities cannot be seen as a springboard to ascend into the political wilderness, but as a platform for services the needs of community members.

Tackling service delivery protests within municipalities is not a single responsibility of one sphere of government, but a concerted effort required from all three spheres, without leaving the private sector aside, because when protests for services erupt, not a single structure mentioned is spared from the interruptions and disruptions. All of them are affected in different ways. Research has shown that government commitment to tackle this pandemic will not succeed if the dire and poor conditions, most South Africans found themselves in are not addressed holistically.

The responsibility of delivering basic services to communities rests largely with municipalities. But for municipalities to deliver on their mandates, they need to tackle certain impediments such as: poverty, inequality and unemployment. Without addressing these three challenges, most municipalities will continuously face a struggle to function properly and fail to deliver on their mandates, which is often a recipe for protest for services.

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3.5 Local Government

Local government is defined as a third tier of government that operates within the national constitutional framework of government. The document envisages a strong local government, complemented by regional governments whose primary tasks will be to ensure integrated and coordinated local development planning, the provision of appropriate regional services and to provide support to those local authorities which lack resources, particularly in the rural areas (ANC Ready to Govern Policy Document, 1992; Madumo, 2011; and Smith, 2008).

In the Ready to Govern Policy Document (1992) of the African National Congress (ANC), Local government is perceived as:

- Playing a crucial role in building democracy in a future South Africa.
- Local government will bring government closer to the people and actively involve them in decision-making and planning processes which affect them;

- Playing a key role in development and in the equitable redistribution and re-allocation of local authority services. It will address as a priority the disparities in our cities, towns and villages which have resulted from the policies of apartheid. The promotion of the needs and interests of disadvantaged sections of communities will therefore become a major focus of local government activities.

Madumo (2011: 13 and 22), sees local government as the first point of contact between an individual and a governmental institution; hence local government can be referred to as the government that is closest to the people. It is the only sphere of government where a platform can be set up, through the usage of municipal structures for the citizens to collectively organise themselves so as to enhance participatory democracy, and consequently ensure efficient service delivery. Pauw quoted in Wessels et al (2014: 48) asserts that the goals of government in a democracy must be in line with what was promised to the voters. After being elected, a government acts as the formulator of the preference of its electorates.

Local government is the primary means through which public services, such as water, electricity, sewerage and public waste removal, are rendered (Mubangizi and Gray, 2011: 213; Layman, 2003: 8). Madumo (2011: 28) asserts that Local government guides the administration of the local sphere of government, with the task of accommodating the participation of the inhabitants in determining the quality and quantity of service delivery.

Local government is defined as the last sphere of government. It is a sphere of government that is associated with the delivery of services to citizens at the local level. Article 153 of South Africa's Constitution sets out those clear mandates and responsibilities according to which municipalities need to operate. On the other hand, commentators of democratisation argue that Local Government is a pinnacle or core of government functions. One of the key responsibilities of local government is to

engage the relevant interest groups (e.g. local communities, business and non-governmental organisations) in policy-making (Naidoo and Reddy, 2008: 43).

Between 1998 and 2003, a fully-fledged local government was formed in South Africa, completing the envisaged three spheres of government (Kanyane, 2010: 84). Akinboade et al (2012: 187) state that the role of local government in South Africa is largely the delivery of basic services to the communities. One of its challenges today is to provide effective and efficient service delivery.

In a Unitary System of government like in South Africa, government can interact directly with its people at the local sphere. In this instance, the elected representatives in the form of Councillors become the medium through which government can communicate its policies with its electorate. Kanyane (2010: 87) states that the White Paper on Local Government defines developmental local government committed to working with citizens and groups within the community to find the sustainable ways to meet their social, economic and material needs and eventually improving their quality of life.

Hilliard in Bekker (1996:7) stresses that the local tier of government serves as a suitable training ground to empower ordinary people with politics, negotiating and interactive/interpersonal skills which they may be unlikely to gain at the higher tiers of government. It furthers teaches people about handling the diversity of opinions of others and reaching compromise on certain crucial issues. Furthermore, it consists of geographical units called municipalities (Geldenhuys quoted in Bekker, 1996: 17).

The term Local government cannot be isolated from the main framework of democracy because it is a decentralised representative institution with general and specific powers devolved on it in respect of an identified restricted geographical area within a state (Geldenhuys quoted in Bekker, 1996: 16). The reasons why local government cannot be separated from democracy are as follows:

- It can be described as a cherished tradition which can be in total opposition to the elected democratic principle.
- It is a system where citizens are free to raise their voices without being victimized by their system of power

The principles of democracy cannot accommodate the traditional claims of local government, which could be parochial, varied and potentially oligarchic and corrupt. Liberty is strongly defended, taxpayers must be allowed a voice in government and be informed and consulted. People must also be free, in their cities and towns, to manage their own local interests (Ibid.: 18-19).

Robert Dahl, a champion of democracy supports the democratic system and notes that democracy is assured as long as no group or sector influences all. Everything should be done to ensure that a broad range of issue areas, and interests of minorities and their concerns should be respected (Robertson, 2002: 129). Geldenhuys quoted in Bekker (1996), states that the word democracy is derived from the Greek words for people and power and it is referred to as the right of the citizens to participate directly in the act of government.

Robertson went further to explain democracy as a system whereby political power is ultimately in the hands of the whole adult population and that the smaller groups (minorities) have no right to rule. Hilliard quoted in Bekker (1996: 3) offers various reasons for the existence of local government to service inhabitants with those services that private enterprise is either unwilling or unable to provide because the services may have to be delivered on a non-profit or break even basis. Therefore, Local Government is an important sphere when it comes to issues of service delivery.

3.6 Public Participation

The term *public participation* can be understood to be the means of empowering people by creating the space or platform for them to engage in matters that are of concern, with regard to Government. It is crucial to note that Public Participation in governance is a defining feature of the new system of local government in South Africa (Davids et al, 2009: 61 and Madumo, 2011: 3).

Protagonists of community participation provide several key reasons for its necessity. Firstly, it is argued that it provides an equal opportunity to influence the decision making process. Secondly, based on popular sovereignty, it ensures that the government is sensitive to the needs of the people. Thirdly and lastly, it counter-acts the sense of powerlessness in the poor (Putu, 2006: 11).

Public Participation can be understood within the legal framework of the South African Constitution. Rossouw (2012: 80) notes that Chapter three of the Municipal Systems Act of 2000, deals with the development of a culture of public participation and further requires municipalities to put in place systems for communities to participate in the decision making process.

Madumo (2011: 51) distinguishes between public participation and citizens' participation. He states that public participation refers to "the efforts of all the people included in the public to influence government activities", and citizen participation refers to "purposeful activities in which people take part in relation to political units of which they are legal residents".

Madumo further notes that in both the definitions, participation is regarded as an activity, even though the definition of citizen participation acknowledges an important component of legal residency, and obligations thereof. Public participation affords the citizens an opportunity to identify problems which are peculiar to a particular jurisdiction, i.e. a relevant municipality, and to subsequently endeavour to solve them.

Moreover, community participation forms the basis of citizen power. Through public participation, power is redistributed to the people who are excluded from the political and economic processes that form the basis for decision making, for the betterment of their well-being and development (Madumo, 2011).

This idea is superimposed by Article 11 (Rossouw, 2012: 10) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) which recognises that:

The right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to continuous improvement of living conditions. The State Parties will take appropriate steps to ensure the realisation of this right, recognises to this effect the essential importance of international co-operation based on free consent.

Brynard quoted in Bekker (1996) defines participation as an activity undertaken by one or more individuals previously excluded from the decision-making process in conjunction with one or more other individuals who were previously the sole protagonists in that process. This term can be divided into two main categories, namely; the receiving of information by citizens from authorities about proposed actions, and the sharing of power within citizens to shape the final decisions.

According to Davids et al (2009: 115) and De Beer and Swanepoel (1998: 20) public participation is defined as:

An elusive concept which acts as an umbrella term for a new style of development planning intervention/facilitation and enablement. It includes the people involvement throughout the decision-making process and that it should relate to the experience and exposure of that part of the process or intervention, that is the practical reality and context of the principle and associated with it.

Crous (2004: 577) is of the opinion that participation adds to the legitimacy of policy and prevents resistance to the policy. Participation by citizens in the affairs of government is an act of expressing the outcome of a democratic dispensation that allows the voters to interact with the lawmakers on matters affecting their daily lives. Wallace and Pichler (2008: 257) support the idea of public participation in public life through civic association as a key indicator in public life.

In South Africa, the South African National Civic Organization (SANCO) played an active role in actively fighting for better services across South African townships. SANCO was launched in March 1992. Most of its component regions and local level structures predated the national launch, although hitherto they had been independent bodies and thereafter were renamed as SANCO regions and branches. But, for the first time, township-based civic organisations were brought together in a national civic structure. The formation of SANCO thus marked an important stage in the development of civic organisations in South Africa and, more broadly, of the political system as a whole (Seekings, 1997:1).

In the previous regime participation in the affairs of government was only limited to a few, especially the white population. The majority of the African people were denied the right to have a voice in the running of government affairs, hence the introduction of the apartheid policy and laws which sought to provide separate amenities. This prompted the African people to take to the streets to voice their dissatisfaction with the then government. This, however, has changed with the advent of a new democratic dispensation in 1994, when the African National Congress (ANC) won the election. The Constitution of South Africa paved the way for a truly democratic dispensation. The dispensation was based on principles such as freedom of speech and association, freedom to assemble, and respect of life and property, as well as maintaining civilized standards and discipline (Roux, 2002: 70).

From the onset the new government advocated for participatory democracy where the voters would have a direct say in the running of the country's affairs. Rossouw

(2012: 21) stated that the founding value of the Constitution with the closest link to the idea of public participation is the value of democracy, which gives the citizens the platform to participate in the functioning of their governments. In his view, this would guarantee collective decision making and give rise to a representative democracy as advocated by Freidman (Ibid.:12).

But the problem arises when such rights are not equally exercised by the voters for certain reasons. It should be noted that participation can take many forms. It is argued that participation is an essential aspect of civil society, and that it has to be kept alive by a tradition of participation in associational life. It is this fact that fosters social cohesion (Wallace and Pichler, 2008).

Furthermore, Public Participation is an act of sharing in the activities of a group. It is usually defined as the extent to which communities avail themselves to those political activities, e.g. programmes that aim at improving their lives in general. It should be stated that participation varies between activities that are attended by community members and can be measured by the manner in which they respond to matters affecting their general well-being.

Public participation is derived from the classical theory of democracy, and it is commonly used as a tool for assessing the responsiveness of government towards the deliverables when implementing projects that are intended to benefit the population at large. It is crucial to note that public participation is associated with the true values of democracy. In this instance the ruler formulates policies in consultation with the citizens. In the local milieu the public representatives, e.g. councillors consult with their constituencies and allow them to make inputs when formulating Integrated Development Plans (IDPs).

Indeed, IDPs are crucial to all municipalities because they set out the vision, needs, priorities, goals and strategies of a municipal council to develop the municipality during its term in office, as part of a long-term vision and plan for development. IDPs

provide the framework for determining the budget of a municipality and it is closely linked to the performance management system of a municipality in terms of which the progress of a municipality is judged by the public (Davids et al., 2009: 61-62).

COGTA (2009: 37) emphasizes the importance of accountability in the drafting of the IDPs. It points out the need for the accountability of municipalities to communities in the implementation of the IDPs. Examples were given when communities submitted priorities to the public consultation phase of the IDP, the items may be included in the plan, yet the budget and implementation would not be forthcoming.

For public participation to be a success, it is crucial that constant feedback on any decision reached should be communicated in earnest to allow flexibility between both the government and the citizens. This has the potential to limit the public outcry that public representatives are rulers unto themselves.

This requires municipalities to exercise caution and be obliged to ensure that there is full public participation in its affairs and to ensure the adoption of an inclusive approach in fostering community participation as prescribed in the White Paper on Local Government (Rossouw, 2012: 78). Geldenhuys quoted in Bekker (1996) argues that, 'decision making by government is based on the assumption that the decision-making process is more effective under the condition of direct participation by those persons most affected by such decisions'.

Fitzgerald and Durant (1980: 591) opine that citizen assessment of municipal cost/benefit proves the most substantial factor in predicting satisfaction levels. No other predictor approaches its contribution. Thus, if one is interested in predicting the extent to which a citizen is satisfied with urban services, it is more useful to know their cost/benefit assessment of municipal government than their age, city size, or view of municipal responsiveness and of virtually no use to know their race or income group.

It should be noted that Public Participation is not an end in itself, but a crucial stage in government that measures the effectiveness of government for services rendered to its electorates. The purpose of participation is the very essence of people-centered approach to development and thus a central element in a constitutional democracy (Rossouw, 2012: 91).

3.7 Accountability

Lack of accountability by municipal officials and representatives is one of the causes of service protests in most municipalities. Accountability means holding individuals and organizations responsible for the performance measured as objectively as possible. Public accountability refers to the spectrum of approaches, mechanisms and practices used by the stakeholders concerned with public services to ensure a desired level and type of performance (Paul, 1992: 1047; Raga and Taylor, 2005:25; Fourie, 2002: 121).

Accountability has been clearly stipulated in the founding provisions of the South African Constitution Act, 108 of 1996 and the Batho Pele principles (Constitution of South Africa). Venter quoted in Wessels et al. (2014: 63) agrees that the Constitution strongly reaffirms the principle of public accountability by stating in Section 1 (d) that the Republic of South Africa is founded on the values of universal suffrage, regular elections and a multi-party system of democratic government to ensure accountability, responsiveness and openness.

Accountability is further defined as an obligation of an individual or organization to account for its activities, accept responsibility for them, and to disclose the results in a transparent manner. It also includes the responsibility for money or other entrusted property. For the purpose of this study, attention is given to the management of municipal budgets by municipalities in an attempt to providing services to its community.

Layman (2003: 10) defines an accountable government as a system and processes of cooperative government. In his view, such a government should not impede on people's rights. People have the right to hold executives accountable for their decisions and actions. In Deininger and Mpuga (2004; 171) accountability is defined as a system of controls, where there is a climate in which information is openly available and transparency is guaranteed. This can help to improve economic efficiency and reduce the scope for discretionary action by public officials. It is likely to be a critical element and a solution in the development process.

Public accountability involves three groups of interrelated stakeholders. The public and the customers of the service (often a subset of the public at large) are stakeholders interested in service providers being accountable to them for attributes that benefit them most. In the public sector, councillors are accountable to their voters. They are elected through their different political parties to represent the views and aspirations of the view of the electorates.

Councilors draft budgets of their municipalities in their council meetings – doing this in consultation with the citizens of that municipality. This is done through the IDPs which explicitly indicate the plans of that municipality for that particular financial year. Community members are thoroughly consulted on what the municipality is going to deliver on for that year, as required by the constitution.

Paul (1992: 1048) points out two factors that influence accountability in the public service. These are as follows: the extent to which the public has access to alternative suppliers of a given public service; and the degree to which they can influence the final outcome of a service through some form of participation or articulation of protest/feedback irrespective of whether the exit option exists. These two factors are crucial in that they could offer a municipality a solution in addressing challenges relating to responsiveness, corruption, and other related bottlenecks that might hamper the municipal delivery when delivering services to its community.

Lack of accountability by municipal councils has been a major challenge facing most municipalities in South Africa. The question whether councillors are accountable to their political parties than communities that elect them remains a challenge for most under-performing municipalities. The bottom line is that for a municipality to effective in its operations it is critical that all municipal officials and other staff members should account to the electorate and give them constant feedback on all the successes and failures that the municipality experiences.

3.8 Conclusion

This chapter attempted to provide a detailed analysis of the key concepts that feature in the study, and how they are linked to the subject matters. Views held by various authors on the theme of this study have been explicated in this chapter. The history of service delivery protests and examples from other places have been discussed in this chapter as way of illuminating the reader's understanding and giving the study the necessary context. This has laid the foundation on which subsequent chapters will build. What is important to note is that the literature discussed above tackles the subject matter either from a general perspective or with specific reference to other research areas. The concepts discussed in this chapter also feature in the Literature Review Chapter. This Thesis contributes to knowledge by specifically focusing on the research areas outlined above and also linking the study to the existing body of knowledge. It is within this context that even the present chapter which defines concepts does not define them in isolation. Instead, the different definitions are linked to different contexts –both specific and general or broad.

The next chapter will present the research methods that were followed while conducting research and collecting different data sets for the present study.

CHAPTER FOUR

RESEARCH METHODOLOGY

4.1 Introduction

This chapter seeks to present the research methods that were used to carry out the study. It will further provide detailed information on the interviews that were conducted at the three local municipalities, particularly in the areas that were mostly affected by the violent protests for services. These areas were:

- Wesselton, Breyton, Lothair and Warburton at Msukaligwa local municipality;
- eThandukukhaya Township at the Mkhondo local municipality; and
- Vukuzakhe Township at Pixley Ka Isaka Seme local municipality

Apart from document analysis, information was gathered through structured interview questions to assist in ascertaining the causes of the violent protests. An in-depth interview process was conducted with the political office bearers (Three Mayors of those Municipalities), Station Commanders of the Police Stations at the Municipalities and Leaders of those protests.

The reason for interviewing the three Mayors was basically to have better understanding of the problems that led to community members taking to the streets and protesting for better services. Secondly, the political office bearers play an important role in the municipality because they are involved in the running of the day-to-day activities of their respective municipalities and are entrusted with the political responsibility of implementing policies within these municipalities.

The following sets of interview questions were asked:

- Which factors gave rise to violent services delivery protests at your municipality?
- What is the relationship between the delivery of services and violent protests in this municipality?
- What has been the responsiveness of Gert Sibande District Municipality and GOGTA towards attending to the needs of communities and providing the required services in your municipality? and
- What is the nature of the relationship which exists between communities and representatives of municipalities?

The reason for interviewing three SAPS Station Commanders in the three municipalities was to get clarity about what happened during the unrests which was against the law. The following sets of questions were sent to them to get answers. It should be noted that the letter seeking permission to interview the Station Commanders was sent to the Mpumalanga SAPS Provincial Commissioner on the 16 January 2017 **(See letter attached, Annexure A)**.

Subsequent to that letter the Mpumalanga SAPS Provincial Commissioner forwarded the letter on 24 January 2017 to the Office of the SAPS National Commissioner requesting him to grant me permission to conduct the interviews. These were the interview questions:

- What led to the violent protests for services?
- How many violent protests for services cases were recorded in that period?
- What happened (e.g. damage for property)?
- How was SAPS able to deal with those protests and what kinds of measures were put in place to deal with the violent protests?

- Who were the perpetrators of the violent service delivery protests?
- What lessons can be learned from these violent protests?

Leaders of the protests were interviewed for the purpose of getting a clear picture of what led to the violent protests for services and the role they played in the whole saga as well as the type of influence they had in the protests. A snow-balling approach was utilized to get them. For ethical reasons the names of the leaders of the protests will be withheld as per their request because of fear of victimization.

The research has, in analyzing and reporting on the findings of the study, endeavoured to reflect on the broad perspectives and opinions of the respondents and the factual information on the municipalities as honestly and accurately as possible. In some instances, direct quotes are used. In others, the sensitive nature of the situation in the municipalities negated the use of direct quotes as this would betray the anonymity of councillors who volunteered information.

One should note that this research relied on interviews, print and electronic media to collect factual information on the factors that led to violent protests for service in the three municipalities. Where possible, this information was verified with the relevant political office bearers of the three municipalities. Theoretical information was sources from secondary sources such as books and journal articles.

4.2 Case studies

A qualitative research approach was used at the three municipalities to determine the factors that led to violent protests for services in Gert Sibande District Municipality, particularly in Msukaligwa, Mkhondo and Pixley Ka Isaka Seme local municipalities. The first municipality that was assessed was Msukaligwa, followed by Mkhondo and then Pixley Ka Isaka Seme.

A considerable amount of time was invested equally to the three municipalities in order to gather accurate information about the factors that led to violent protests in these municipalities. Three separate intense interviews with the political leaders of the three municipalities were conducted on the 8th and 9th of October 2015, at their municipal offices.

It should be noted that the majority of strikes and protests that the South African society has witnessed in recent years has been characterised by violence. What perhaps differed from one situation to another was the degree of violence that was employed. Consequently, we need to ask the critical question of why this was the case. Why must violence, more often than not, accompany strike and protest action? (Wikipedia; Protests in South Africa).

The feature of culture as being commonly shared by members of a specific group applies to strike and protest groups. This is a key factor because for strikes and protests to occur they require mass mobilisation of groups of people. Often the members who form these groups are bound together by commonly held attitudes, perceptions and value systems that ultimately inform similar behaviours within such groups.

There are certain common features of contemporary violent protests that resonate with protests of the past, such as intimidation, the use of violence, destruction of property, burning of tyres, blockading roads and stoning cars. All of these activities were features of protest actions during apartheid, yet they are still visible in protests and strikes in the contemporary post-apartheid context (Petrus, 2012).

One way of explaining why this may be the case is to argue that the values underpinning the use of violence in contemporary strikes and protests are the same values that underpinned the “struggle culture” during the anti-apartheid protests. During the struggle, violence was used as a justifiable form of combating the illegitimate apartheid regime (Ibid., 2012).

In the current political protests happening across South Africa, it has been noted that some service delivery protests are linked to the ANC factions. This is according to new research. The Centre for the Study of Violence and Reconciliation and Wits University analysed protest hotspots in Gauteng and Mpumalanga. According to the report titled, "The Smoke That Calls", ANC members played a leading role in all protests (News24, 2012). They did this for political reasons.

In one case study, for example, 'several informants maintained that the group was formed by the mayor to support her in her fallout with the Council Speaker'. Some had joined to fight corruption, others hoped for jobs, while still others had been aggrieved because their access to tenders had dried up. In another case, the eruption of protests was linked to divisions within the town council. The speaker had apparently fed confidential information to protest organisers in order to undermine the Mayor (Ibid., 2012).

The ritual of violence elicits multiple meanings. For the protesters, violence may symbolise a particular value system; a justifiable reaction to an unjust system that exploits and undermines South African citizens. Violence is used as a means of communicating the frustrations of striking or protesting groups. For those who would be targets of strike or protest violence, as well as those witnessing such violence, it may symbolise anarchy. Failure of democracy in South Africa is cited as another contributing factor. The impression that the rights of some are more important than those of others is another causal factor. Lastly is the perceived failure of the ANC government to redress past injustices (Petrus, 2012: 143).

4.3 Violent protests for services at Mkhondo Local Municipality

The protests which peaked with a series of violent events on 28 June 2009 were part of a much longer struggle by the community (Sinwell et al., 2009). A 30-member Concerned Group which included a number of teachers and civil servants was

formed. Several of the community members who mobilised to form this group had previously met as a Committee of 13 (Ibid., 2009).

The main objective of the Committee of 13 had been to challenge the allocation of RDP housing through the 'pay as you earn' initiative. The formation of the Concerned Group represented a deepening of community mobilisation as well as a broadening of community participation to make demands on the municipality in the face of its perceived indifference.

The memorandum drawn up by the Concerned Group lists a number of detailed and specific demands (Sinwell, 2009). These included the following:

- Investigation into all municipal procurement above R10, 000 from 2006 to date,
- A list of municipal bid committee members and meeting minutes from 2006 to date,
- A list of contractors for road construction and maintenance projects in the township,
- An audit on all holders of municipality credit cards, and an explanation of municipal supply chain policy.

The following demands were further made:

- Investigations into Integrated Development Projects (IDP's),
- The allocation of RDP houses and the handling of funds for township sport facilities.

Many of the items on the memorandum had previously been communicated to both local and provincial officials during the previous three years and were raised more recently at a number of meetings between councillors and community leaders in early June 2009. On 15 June 2009, community members staged a peaceful protest and

marched to the Town Hall to deliver a memorandum, accusing the municipality of poor service delivery, rate hikes, financial mismanagement and corruption. They also alleged that ANC councillors had sold RDP houses and sites (Sinwel et al., 2009).

The Concerned Group met with then Premier David Mabuza. At the meeting, the group recommended suspending all councillors and the town manager, Roy Ledwaba, as well as the closure of the Department of Human Settlements, due to the alleged levels of corruption within the Department. The Premier undertook to respond to the community's concerns and agreed to update the community in an open forum the following Sunday (Sinwell et al, 2009). In the scene that followed, tyres were burned and roads, including the N2, were barricaded or blocked.

Thandukukhanya in Mkhondo Local Municipality was ravaged by the protests for services that turned violent. According to News24 Archives and Sinwell et al., 2009, the following were reported;

- Individual vehicles were damaged when the streets going to the township were blocked.
- The small businesses operating in the township were all damaged during the protest march.
- Five shops were looted,
- The community hall, the community clinic and the library were also burnt down.
- Four houses belonging to the town mayor and another house belonging to a traffic official were burnt down
- Two people were fatally wounded
- Seven people were arrested for public violence
- The protesters also burnt two municipal trucks, a sedan vehicle and a bakkie
- A nearby railway line was also damaged.

In a memorandum presented by the community to the Mpumalanga Premier and copied to the office of the District Executive Mayor, the community had complained about issues of lack of service delivery, incomplete construction of roads, selling of the RDP houses and nepotism. The communities involved in this recent cluster of service delivery protests shared many of the same problems and frustrations. The complained that poverty and unemployment levels were high and they were compounded by lack of basic services including water, sewage systems, street lighting, paved roads as well as adequate and appropriate housing (Sinwell et al., 2009).

Mkhondo Local Municipality showed the highest increase in the percentage of households living in formal dwellings (Empowerdex, 2009: 7) Gert Sibande district in Mpumalanga, which has experienced protests and strikes due to poor service delivery, is ranked 4th in the improvement index (Empowerdex, 2009: 19).

4.4 Violent protests for services at the Dr. Pixley Ka Isaka Seme Local Municipality

Pixley Ka Isaka Seme also experienced violent protest for services. During these violent protests, seventeen people were arrested in Vukuzakhe Township in Volksrust (IOL News, 2008). According to IOL News, those arrested had thrown stones and barricaded streets. Four of those arrested were minors and were released into the custody of their parents. About a thousand people gathered to protest and a vehicle was burnt out.

The protests took place after residents were unhappy that the municipality was not consulting with them concerning rate increases. Protesters demanded the removal of the then Mayor, Mrs. Mapaseka Madonsela and the Municipal Manager Mr. Lootz de Jager, because the two officials were said to be corrupt and failed to deliver services to the community of the Pixley Ka Seme municipality (IOL, 2008). About 60 protesters began throwing stones and tried to get to Wakkerstroom road to barricade

it, but were pushed back by the police. Thereafter, the group also attacked people going to work. Seven of the protesters were arrested for public violence (Ibid., 2008).

During the violent protests for services, the following were damaged and destroyed:

- Four houses in Vukuzakhe were burned down,
- Councillor's vehicle was burnt, and
- A police vehicle was damaged (Ibid.: 2008)

4.5 Violent protests for services at Msukaligwa Local Municipality

Msukaligwa Local Municipality was not immune from the violent protests for services that raged the Mpumalanga Province between 2008 and 2010. Both Wesselton and Thusiville townships were at the centre of the violent protests for services.

During the 2008 violent protests, the following incidents were captured by both the print and television media:

- A total of 33 people were arrested in connection with public violence in the area. They appeared in the Ermelo Magistrate's Court the following Tuesday and were granted R200 bail each.
- No schooling and no operations were taking place at the time. The township had come to a standstill.
- The Democratic Alliance attributed the violence to conflict within the ANC's ranks.

4.6 Reasons for the violent protests

Among the reasons that were provided as being some of the causes of the protests were the following:

- They are hiring those who they know; their friends and their families and they are hiring mostly women;

- They blamed corruption for poor service delivery the protesters' main grievance. "We want RDP houses, water and electricity," one of the informants said.
- One informant stated that he had sent his children to stay with relatives until the turmoil was over. Police escorted shop owners and their goods out of the area late on Tuesday as protesters started looting shops.
- Somalian shop owners had also fallen victim to the violent service delivery protests (News24Archives, 2011).

4.7 Responses to the protests by both the Provincial and National COGTA

4.7.1 Response of the Provincial COGTA

In reply to the violent protests for services at the two townships, the then MEC for COGTA, Mr Norman Mokoena condemned in the strongest possible terms the unwarranted violence, malicious destruction of property, disrespect of the rule of law and the violation of the rights of law abiding citizens by certain residents of Mkhondo municipality who paraded as protesters. He said that it was very disturbing that when the people of an area call upon government to come and meet them and it does, then after the meeting people resort to such unbecoming behaviour (Statement of GOGTA, 2009).

Furthermore, COGTA officials stated that government would not tolerate any criminal elements that threatened the destruction of the democratic institutions of government, vandalise public property, threaten people's lives and destroy their property. The official stated that the department would be appointing a team of investigators to go and investigate all the allegations made against the municipality. The official stated: "We appeal to all residents who may have proof or information that can assist in this regard to come forward and provide this information to the investigators (Ibid.: 2009).

4.7.2 Response by National COGTA Minister

The Ministerial Task Team that was assembled by the late Minister of GOGTA Minister, Sicelo Shiceka to probe the causes of the violent protests, as violent service-delivery protests continued to rock parts of Mpumalanga, presented the following preliminary findings (Langer, 2009; Politicsweb, 2009; Statement by COGTA, 2009 and Jili, 2012: 27-28):

- A lack of responsiveness to issues raised by communities;
- Tensions between the political and administrative sections of some municipalities;
- Financial mismanagement and allegations of fraud and corruption;
- Some ward committees were not fully functional and therefore not communicating properly with communities;
- Poor planning, maintenance and management of infrastructure;
- IDP and budgeting processes not aligned in some municipalities.

4.8 Interview with the Mayor of Msukaligwa Local Municipality

On the 8th of October 2015, I met with the Executive Mayor of Msukaligwa Local Municipality Cllr. Bongwe in his municipal office, following two letters that I had forwarded to his office on the 21st and 22nd September 2015, with the intention of getting answers on the factors that gave rise to violent protests in Msukaligwa Local Municipality during the period under study (**See attached letter, Annexure B**).

In response to the question, the Executive Mayor was able to share factors that gave rise to violent protest for services. Key amongst them were the following:

- Electricity cuts due to the burst transformers and theft in certain areas within the municipality;
- Shortage of water due to the drought that hit the municipality;

- The negative mindset by community members over the operations of the municipality;
- A culture of non-payment of services coupled with the constant demand of services;
- Slow response by sectors of government to problems facing community members, which as a result made community members to harbor anger at government;
- Low levels of political participation by community members on municipal activities;
- Political ambitions that led to a particular sector of White sponsored protests to destabilize municipal operations;
- Allegations of municipal officials colluding within water services providers during the time of water shortages;
- Negative reporting by the media on municipal activities;
- Political leadership e.g. ward councillors and ward committees at times not being hands-on, at times not responding to matters affecting community members on time but wait till community members take to the streets. This prompted community members to have no confidence over their councilors;
- Late payments for services by both private and public sectors, which cripples the finance of the municipality thus rendering it incapable to deliver;
- The financial year of the municipality which is problematic. For example, in the 2nd and 4th Quarters when the municipal budget is at its lowest, municipalities are compounded by many natural disasters like rain that will affect the road infrastructure by creating potholes;
- High unemployment and poverty rates.

On the issue of electricity, the Executive Mayor noted various reasons why the situation of electricity was so intense and could not be resolved speedily. He cited the fact that the Office of the Auditor General was concerned about the large amount of

money (R12 million) annually, that the municipality paid to employees for overtime work. This prompted the municipality to institute cost curtailment measures. But this didn't solve the problem because when power cuts emerged due to burst of transformers, the municipality couldn't respond on time due to cost curtailment and the fact that it could not pay overtime work.

Accordingly, this did not sit well with community members who accused the municipality of neglecting its responsibility to deliver services and further accused municipal employees of being behind the power cuts so that they could benefit from overtime salaries. The matter has since been addressed.

On the issue of water scarcities, the municipality was able to address it by engaging the Jerico Water Scheme to provide water to the municipality during the drought season. However, the executive mayor noted that this exercise was too costly for the municipality to sustain.

4.9 Progress to date

The executive mayor noted that the following has been achieved thus far:

- The finance of the municipality has since been stabilized;
- Operation Vuka Sisebenze has been introduced to allow stakeholders such as Community Policing Fora (CPF), Student Governing Bodies, the Business Sector, Community Development Workers (CDWs) and the Moral Regeneration Movement (MRM), to work for the betterment of the municipality;
- The ward committee structure has been strengthened;
- Municipal policies have been further strengthened to allow better coordination of services;
- All allegations of sabotage of electricity have been addressed;

- Community members have been encouraged to participate in matters of the municipality;
- The level of commitment by municipal workers has since improved; and
- The relationship between the municipality and community members has since improved.

4.10 Interview with the Mayor of Mkhondo Local Municipality

On the 8th of October 2015, I met with the senior officials of Mkhondo Local Municipality, delegated by the Executive Mayor, Cllr Mtshali due to urgent commitments he had to attend to in Nelspruit. I informed them about the reasons I requested to meet with the executive mayor and explained the purpose of my visit to the municipality (**See attached letter, Annexure C**). During the interview, more facts were uncovered.

4.10.1 Factors that gave rise to violent protests for services

The following were cited as factors that gave rise to violent protests for services in the municipality, particularly between 2009 and 2010:

- Allegations of better services being centered where politicians reside;
- Lack of services from the municipalities;
- Allegations of corruption by both municipal officials and politicians in awarding tenders to friends and family members;
- Accusations that the municipality was employing top municipal officials who are not residents of the municipality and have no interest in the functioning of the municipality;
- Constant violation of human rights by farm owners on farm workers e.g. illegal farm evictions;
- Awarding of RDP houses to wrong beneficiaries;

- Poor state of the local hospital e.g. few beds for patients;
- Allegations leveled against the Justice system which was biased towards white people while neglecting the pleas of the black people e.g. white people could be arrested for violating human rights and be released overnight because the magistrate is white;
- Poor road infrastructure e.g. too many potholes in both the township and town;
- Ineffective ward committees ever since 2007 and their inability to deal with challenges affecting community members;
- Maladministration by municipal officials; and
- Corruption by the Land Affairs Department in awarding land to incorrect beneficiaries.

4.10.2 Progress to date

The following progress was reported to have been made by the municipality:

- The municipality was put under administration so as to assist it to recover from its setbacks;
- More public meetings were called to find solutions to matters raised by community members;
- In 2010, the Mpumalanga Department of Cooperative Governance and Traditional Affairs declared the municipality a Comprehensive Rural Development Programme (CRDP) municipality;
- The negative mindset regarding corruption and other matters related to maladministration in the community was changed; and
- Violent protests for services have since become an issue of the past.

4.11 Interview with the then Mayor of Pixley Ka Isaka Seme Local Municipality

On the 9th of October 2015, I met with the ex-mayor of the Pixely Ka Isaka Seme Local Municipality Cllr. Madonsela, who was in charge of the municipality during the period of the violent protests for services, and now a Ward Councillor at Amersfoort, as per the request of the current Executive Mayor, Cllr. Malatsi who had to travel to Nelspruit in the morning of the interview to attend an urgent meeting (**See attached letter, Annexure D**).

Cllr. Madonsela was briefed about my visit to the municipality by the executive mayor. She was able to give account on the factors that gave rise to violent protest for services in Pixley Ka Isaka Seme Local Municipality between 2008 and 2010. Here below is what transpired from the interview:

- The violent protests for services in the municipality started in the early 2008 and lasted till the early 2010;
- The instigators of the protests were a group of young people employed from Vukuzakhe Township, in Volkrust who demanded that the Mayor should expel the Municipal Manager due to allegations of racism and his failure to employ black people in the municipality;
- Allegations of corruption and nepotisms were leveled against municipal officials;
- Lack of delivery of basic services by the municipality; and
- Allegations that Cllr. Mavimbela used R3million of the municipal money to extend his house.

Cllr. Madonsela noted that a number of houses belonging to councilors were touched, including that of Cllr. Mavimbela in Vukuzakhe. Due to the level of the unrest, the Mpumalanga Provincial Government placed the municipality under administration. Section 139 (1) was instituted. An Administrator was appointed for six months, but ended up spending close to two years at the municipality. Unfortunately,

he could not turn things around because there were no issues that he could fix, since the municipality was better managed and the protests had been triggered by false accusations. Furthermore, a Task Team was appointed to look at the allegations that were raised by the protesters. However, in its conclusion, it concluded that those allegations leveled against the municipality could not be authenticated or verified.

During the interview, Cllr. Madonsela was able to point out that the violent protest for services was used as a precursor for people to gain employment in the municipality as well as removing councilors that they did not like. She further mentioned the following:

- That since the outbreak of the violent protest for services, the municipal finances have been affected, partly because a large number of people were employed in the municipality without following proper human resources processes, thus putting the budget of the municipality in peril;
- That the provisions of municipal services to community members before the violent protests were fair as opposed to today;
- That the municipality was declared a CRDP municipality due to its state of affairs;
- That the Provincial COGTA was not visible before the protests, but now it is more visible;
- That there is a huge challenge of implementing the serviced stands by municipal officials, while there is a backlog of land for housing;
- That the levels of unemployment in the municipality are unacceptable;
- That farm evictions and abuse of farm workers by farmers remain a mammoth task, e.g. farm workers are not allowed to build more than three houses in a farm despite the sizes of their families and they are not allowed to keep a large number of livestock;
- That local business like the Amajuba Power station do not prioritize employment of local people;
- That the Labour Department is not handling the matter in a proper way;

- That the water meters are a challenge in places like Amersfoort, they are not properly serviced;
- That there is a tendency of adding a lot of services in the IPDs yet the municipality is aware that it will not be able to deliver on such; and
- That there is a need for the Local Economic Development (LED) official to carry the task associated with him very diligently.

At the end of the interview Cllr. Madonsela made a good recommendation that could assist in correcting the situation. She put more emphasis on the introduction of a War Room in the municipality, which would bring about integration across the spheres of government to radically transform service delivery in the municipality.

4.12 Interviews and findings from the three Police Stations

Three Police Stations were visited in the three municipalities as part of collecting data. A letter seeking permission to interview the Station Commanders of the three Police Stations was sent to the Provincial Commissioner Lt General B.M Zuma on 16 January 2017. Subsequent to that, on the 26 January the Office of the Provincial Official forwarded my request to the Office of the National Commissioner (Research Unit) of SAPS to process my request since permission can only be granted by him **(See attached letter; Annexure E)**.

I made a number of follow-ups to both the Provincial Office through Colonel Moodley, Brigadier Griffiths and Lt Colonel Giep. The Provincial Office informed me that they would await confirmation from the National Office. On 27 February 2017, I made another follow-up with the National SAPS Office.

I informed my supervisors about the new developments and a decision was taken that since the research was looking for answers on voluntary basis, the face-to-face interviews with the three police stations would no longer be conducted.

4.12.1 How Police responded to the Protests at the three local municipalities

The following information was sourced through secondary research methodology since the face-to-face interviews could not be conducted. Most of the information was sourced through the internet and other research material that was available.

It should be noted that the Mpumalanga Police responded differently to the violent protests that erupted in the three municipalities. Circumstances surrounding the protests dictated to them to act differently. As a general norm, the police had to respond to strikes and protests, especially if these constitute a threat to law and order (Masiloane, 2010: 37; see also Baker, 2001). As such, the police could respond through one of two possible approaches. One approach was to completely withdraw from becoming involved in protests. The second approach was that the police had to treat protests as civil and not criminal matters. But this would limit the police in dealing with possible criminal acts that could occur during the protest (Petrus, 2012: 144). In other words, each approach had its advantages and disadvantages.

In Vukuzakhe Township, the police intervened by calling in for reinforcements and monitored the area through patrols (News24 Archives, 2008). The police in this municipality were sent in to calm the protestors who temporarily dispersed but gathered again into smaller groups. The police managed to clear the main road leaving the township but smaller streets within the township were still barricaded. Seven arrests were made during similar protests after 50 people gathered and set a vehicle on fire. Protesters then barricaded the streets and burnt tyres (IOL, 2008).

The then National Police Commissioner, Mr. Bheki Cele said that the highly skilled police officers, including those experienced in crowd control, had to be deployed in Ermelo following the violent protests that ravaged the township of Wesselton (Mail&Guardian, 2011).

4.13 Interviews with the leaders of the protests

4.13.1 Interview with Mr. Shaun Marrow (Pixley Ka Isaka Local Municipality)

On Thursday, 26th January 2016 at 09h00, I had a telephonic interview with Mr. Shaun Marrow (not his real name) for two hours. He requested not to answer all the questions in a sequence but rather agreed to give answers in narrative form. He gave account to the violent protests that started between 2008 and 2016, the reason being that the violent protests in the municipality between 2004 and 2010 as the study envisaged, could not be separated from the ones that took place from 2011 onwards. He clearly stated that the violent protests in Pixley Ka Isaka Seme started from 2008 onwards in Ward 1-4 (Vukuzakhe Township) and later spiraled to other towns namely, Perdekop, Wakkerstroom, Amersfoort and Daggakraal.

When asked about what led to the violent protests at Pixley Ka Isaka Seme Local Municipality, Mr. Marrow pointed to the following:

- That the cause of the violent protest at Pixley Ka Isaka Seme were as a result of the political fallout between the then Mayor, the then Municipal Manager (MM) and community members;
- That there was too much political interference in the running of the Municipal affairs, more so in the administration;
- That the Municipal services were poorly delivered to community members;
- That there was alleged corruption. It was alleged that the Mayor employed her child at the Traffic Department without following proper procedures and further assisted in the employment of community members from Ward 8 (Amersfoort), where she hails from on a road construction (N11 from Ermelo to Volkrust) by excluding other community members from Volkrust.

- That the then Mayor was further accused of paying a bonus to the MM even though the municipal budget was not in sound financial standing;
- That the then MM was accused of running the budget of the municipality without including capital projects as well as failure to fill the funded vacant posts; and
- That community members wrote a memorandum to the Premier's Office requesting him to respond to the grievances raised and to respond within 7 days but that the seven days lapsed and no acknowledgement and feedback was received back.

Mr. Marrow mentioned the following about the other Wards within the municipality:

- That in Perdekop (Ward 6), another township found in Dr. Pixley Ka Isaka Seme, community members joined a silent protest by defying to pay for municipal services. [This was not peculiar. The non-payment of services in many townships is not a new phenomenon, as for many years there has been concern in urban planning policy circles about it. Following the first general elections, the ANC-led government made the resumption of payment one of its main priorities and from the outset the imperative of paying for services was couched in amoral language of empowered and active citizenship (Jili, 2012: 27).
- That the protesters burnt down the house belonging to Cllr. Luhlanga, and some of them were arrested for arson but due to lack of evidence, they were acquitted;
- That in Wakkerstroom (Ward 5), community members also joined a silent protest until they burned down the house belonging to Cllr. Lungile Nkosi. Some protesters were arrested and sentenced to jail, not because of arson but on the basis of contempt of court

- That in Amersfoort (Ward 8), also another township found at Dr. Pixley Ka Isaka Seme, community members were sympathetic to the then Mayor, while in Ward 7, they were against her. There were allegations of political infighting in the Ward and the Mayor was implicated; and
- That in Daggakraal (Ward 9-11), another township in Dr. Pixley Ka Isaka Seme, community members wanted the Mayor to step down when the Municipality was put under administration.

When asked about what happened during the violent protests for services, Mr. Marrow gave account of violent protests as per each Ward found in the Municipality. About Vukuzakhe Township, he reported the following:

- Since the Premier's Office failed to respond to the demands made by community members, then community members took to the street and the rampage started;
- The local police were deployed in the hot spot to calm the situation, unfortunately they made it worse because they entered the township without asking what was happening, they started shooting with rubber bullets at everyone including innocent people (the elderly);
- Two houses were burned to ashes, those were houses of Cllr. Mavimbela and Cllr. Shiba;
- The house belonging to Cllr. Hlakutse was half burnt;
- A car belonging to Cllr. Kula was also torched;
- All shops belonging to foreign nationals were looted in the process;
- One person was killed and some got injured;
- Many people were arrested for public violence; and
- From January to March 2009, there was no schooling taking place in Vukuzakhe Township due to the unrests.

4.13.2 What happened then?

Mr. Marrow stated that:

- As a result, the Municipality was put under administration; the then MM was given a golden handshake;
- The first Administrator was Mr. Meshach Nkosi who spent six months at the municipality and was later replaced by Mr. Mpungose. Mr. Mpungose was in charge of the municipality till the 2011 local government election; and
- Mr. Marrow was quick to state that despite the appointment of the administrator, things did not change quickly, e.g. the Audit Outcome did not change because of the disclaimer.

4.13.3 Were there any changes in the Municipality?

In response to this question Mr. Marrow stated the following:

- The vacant funded posts were filled;
- The level of service delivery started to improve; and
- The situation returned to normality even though there has been more violent protests till 2016. He pointed out that most of the violent protests are not captured by the media houses.

4.13.4 The opinion of Mr. Marrow about the role of National and Provincial Government as well as the SAPS

When asked to comment about the above, Mr. Marrow pointed the following:

- The National and Provincial Government has provided adequate support to the municipality during the period of the unrest;

- The SAPS has devised a better plan of dealing with future protests, it has done so by ensuring that all stakeholders are brought together under one roof to resolve their matters without spiraling into the streets;
- All stakeholders are given the opportunity to raise their grievances and have them resolved without resorting to rampage; and
- Police Officers have been told to manage the crowd during the protests and create a workable relationship with community members.

4.13.5 What is the way forward?

Mr. Marrow put the following as a way-forward:

- Government should take the grievances raised by the people seriously and respond when necessary;
- Politicians must stop imposing people who are not elected by the people on the ground and must implement policies geared towards providing better services on the ground;
- People should respect the separation of powers and allow each organ of the state to process matters relating to their portfolios;
- Political office bearers should concentrate on their constitutional obligations and stop meddling in petty political squabbles;
- Municipalities should send correct water billing meters and upgrade their level of services to the people;
- Corruption and maladministration should be dealt with fiercely to avoid future violent protests; and
- The usage of consultants should be discouraged except in cases where there are no competent officials to execute such tasks.

In his closing remarks, Mr. Marrow warned against the following:

- Violent protests for services will never end unless government steps up its delivery of services and respond to the demands of the people; and
- Government needs to put a plan to assist foreign nationals who become the victims of the violent protests even though the protests are not directly directed to them, but due to the nature of the protests are found to be in the firing line.

4.14 Interview with Mr. Themba Mkhize and Nocks Mguni (Msukaligwa Local Municipality)

4.14.1 Mr. Themba Mkhize

On the 1st of February 2017, I had a telephonic interview with Mr. Themba Mkhize, one of the leaders of the violent protests for services in Msukaligwa Local Municipality. He agreed to give full account of what happened.

4.14.2 What happened during the violent protest for services?

Mr. Mkhize stressed key reasons for the violent protest for services that rocked the municipality:

- He singled out the political interference in the appointment of the Ward Councillor, of Ward 5, Mr. Sipho Zulu as the main source of the violent protests at the municipality.
- He strongly rejected the view that the cause of the violent protest for services that hit the municipality was as a result of poor services, but stated that it was due to the political meddling in the appointment of the Ward Councillor of Ward 5.
- The issue of poor service delivery kicked-in due to the frustration community members were getting from the government of the day.
- He noted that Mr. Zulu was the preferred councilor of the community members and had a full backing of the majority of community

members residing in Ward 5. However, the political leadership of the province wanted to impose Mr. Mpe Nkosi as the Ward Councillor of the Ward, downplaying the pleas of the community.

- He pointed out that the whole process angered community members who were not in support of Mr. Nkosi. Community members did not approve his appointment since he was not their preferred candidate.
- Community members took to the streets and started toyi-toying. They started burning tires all over the township and in the surrounding busy roads.
- They vandalized the councillor's house (he did not mention the name of the councilor).
- The whole toyi-toyi then spiraled into other areas around Msukaligwa Local Municipality.
- Chaos erupted in the municipality and as a result SAPS came into the fray.
- The SAPS did not bother to bring all affected stakeholders around the table with a view of resolving their grievances; they shot at the protesting community members.
- Most of the people who were in charge of the violent protest were the youth.
- He indicated that one person died during the violent protest and some people were injured due to the reaction of SAPS members.
- There was no reported damage or vandalism of government property during the violent protest.
- He further stated that the severity of the situation at the municipality attracted or caught the attention of the then National Police Commissioner, Mr. Bheki Cele, who managed to intervene by calling all stakeholders to resolve their grievances amicably.

4.14.3 Mr. Nocks Mguni (not his real name)

Mr. Mguni gave a different version of what exactly happened during the violent protest for services at the municipality. He pointed to the following:

- The violent protest for services in Mskukaligwa was not influenced by lack of service delivery by the local municipality but was triggered by the removal of the Ward Councilor of Ward 5, Mr. Zulu by the ruling party.
- He emphasized that Mr. Zulu was a well-known business person who had a huge influence amongst the unemployed youth in the area.
- He alleged that Mr. Zulu wanted to have full control of forcing the local mining companies to employ the youth of Msukaligwa Municipality even though some did not possess the necessary skills.
- The majority of the unemployed youth saw him as their link to their economic emancipation, particularly in the mining sector surrounding the town.
- The Provincial Political leadership of the ANC was aware of the whole ploy and did not support it; they replaced Mr. Zulu as the ANC's Ward 5 candidate with Mr. Nkosi.
- He argued that Mr. Zulu had already positioned himself economically to lead in the process of who would get access to the economic resources in the surrounding mines, therefore replacing him with another councilor would automatically dash the aspirations of the unemployed youth to get access to the employment sector.
- As a result, the unemployed youth took to the street and started the rampage, which attracted a lot of attention from other non-toyi-toying community members around the two townships (Wesselton and Thusi Ville).

- As the rampage heated up, more issues started popping up from community members, more particularly the failure of their municipality to deliver quality services.

4.14.4 Interview with Mr. Zweli Mthethwa (Mkhondo Local Municipality)

On the 9th of February 2017, I had a telephonic conversation with Mr. Zweli Mthethwa (not his real name) from EThandukukhanya Township. I explained to him the reason for my call and he understood since he was previously briefed about my intention to call him by some of the people who were in the forefront of the violent protest for services that raged the municipality between 2008 and 2010.

When asked about what were the factors that led to the violent protest for services in the municipality, Mr. Mthethwa singled out the following:

- Rampant corruption by both the local leadership and the municipal officials;
- Allegations of racism by the Piet Retief SAPS. For example, white people are given special treatment when arrested than their Black counterparts. Some are not even arrested even if there is proof that they have defeated the ends of justice. When a White person is arrested, a certain cabal of white magistrates will go to an extent of granting that person bail even on Sundays but that will never happen when a Black person is arrested;
- White farmers were violating the basic human rights, treating black people badly in their farms;
- The municipality is failing to provide quality services to its people. For example, most tarred roads whether in town or in townships are appalling;
- The municipality was engaging in fraudulent activities by granting people of Swaziland RDP House at the expense of the locals;

- The municipality was awarding construction contracts to people from other Provinces and other District Municipalities, while deliberately ignoring the locals;
- The municipality was failing to address the high youth unemployment; and
- The municipality was failing to provide land and title deeds to community members.

4.15 Findings from the study

What is evident from the discussion thus far is that there are different views given by the people who were interviewed about what led to the violent protests for services in the three local municipalities. From a distance, one could have drawn conclusive findings that since the three municipalities operate within the same District therefore the challenges facing local communities were akin. However, the findings from the interviews were able to unearth the real reasons or factors that gave rise to the violent protests for services that erupted at that time. Empirical data showed that these reasons were varied and context specific.

In a study conducted by COGTA (2009: 38), it emerged that some provincial reports revealed councillor involvement in the IDP, commenting that that there was ‘minimum participation of councillors in the IDP process.’ This supports the commonly expressed view that some councillors are not actually interested in service delivery in their wards and this may be a result of patterns of patronage by certain councillors within the wards of their municipality. This is also a value-based issue and some of the provincial reports refer to these matters.

In Mpumalanga (COGTA, 2009: 40) for example, the following findings were reported:

- Insufficient funds to eradicate infrastructure backlogs or complete infrastructure projects e.g. houses, roads, electricity and water;

- Fast growing informal settlements which are caused by the booming mining industry put pressure on the municipality to provide more services with scarce resources;
- The non-availability of land for township development, especially for evicted farm dwellers is impacting negatively on service delivery.

Community members raised key issues that gave rise to violent protests for services:

- The feeling of being sidelined by the politicians/municipalities on matters that affect their daily lives like drafting of the IDPs and council matters;
- Councillors neglecting their responsibility by not fully honouring their obligation of serving the people who elected them;
- Rampant corruption taking place e.g. allegations of issuing of tenders to pals and too much nepotism;
- Businesses not giving local people a fair chance to benefit when tenders are awarded;
- Municipalities not properly communicating challenges they face on time with communities, but preferring to wait until community members took to the street to vent their anger;
- There is a general outcry from community members that in most cases politicians do not respond to their demands on time;
- A general feeling that ward committees are not operational and in return municipal activities like programmes, services and projects are not communicated to them on time;
- There is apathy by community members over their municipalities [this is as a result of poor services rendered];
- Often corrupt municipal officials are not punished for their actions;
- Services are rendered poorly and this creates a vacuum and anger amongst communities;

- There is the huge problem of skills shortages in municipalities, e.g. lack of engineers, technicians, town planners, etc. On this matter, COGTA (2009: 32) argues that effective professional administration in municipalities is undermined by the difficulty of attracting qualified and experienced technical and management professionals outside of the urban areas. The seriousness of skills scarcity is deepened by the decline of municipal professional associations and poor linkages between local government and the tertiary education sector. This has contributed to the serious breakdown in the supply of municipal professionals;
- There is a general feeling that the voice of the people is not heard loud enough by political office bearers. As a result, they alleged that they are often left out when IDPs are planned and tabled in Council Meetings;
- That Municipal finances are misappropriated and not used effectively and efficiently as stipulated in the MFMA;
- Some municipalities are poor and cannot sustain themselves financially. This relates amongst the poor conditions faced by communities and the fact that these municipalities are unable to raise revenues and collect tax;
- Mkhondo and Pixley Ka Isaka Seme local municipalities are largely dependent on municipal grants and equitable share which make it difficult for them to deliver on their mandates; and
- Councillors have been accused of being arrogant and insensitive to the needs of the community. Lack of effective complaints management and the absence of coherent systems to measure service delivery or the quality of client interface are some of the political reasons underlying protest action (COGTA, 2009: 12).

A different approach to address future violent protests for services needs to be looked at, because the problem that we fail to address is that not all protests that occur in our municipalities are related to the demand for better services. Even if they

were related to the slow or poor provision of services, some of those services are not the competency of the municipality; they sometimes fall within the mandate of the Provincial and National governments. This calls for political education among communities so that they could be able to draw a distinction on the three spheres.

The fact that municipalities are at the center closer to the people, escaping such technical aspect of service delivery is not easy because community members will forever demand services to be provided to them regardless of whether they fall within the competency of the municipality. For example, national and provincial roads, clinics and police stations are not the competency of municipalities, but since they too are found within municipal boundaries, when they have structural defects like potholes, municipalities will bear the brunt.

On the issue of roads, for example, the South African National Roads Agency Limited (SANRAL) in 2010 indicated that the South African road network comprised 606 978 km of proclaimed national, provincial and municipal roads and approximately 140 000 km of unproclaimed roads predominantly in the rural areas.

It is correct to say that there is no authority that can spend money on roads that are not proclaimed, meaning that many people living in rural areas do not have access to roads that are maintained by one or another sphere of government. Hence there are no maintenance and rehabilitation programmes in place, thus undermining prospects for development (National Treasury, 2011: 27). This challenge alone is a cause for concern and a time bomb that community members might use at any given point in time as a protest in demanding tarred roads for their areas.

Municipalities have a responsibility to ensure that they educate community members about services that are provided and make records available of infrastructure failing under their competency. This is because some municipalities in South Africa have not paid enough attention to the maintenance of their existing infrastructure which is one of the reasons that puts the protests for services on the cards for community members.

Indeed, in poor municipalities, there is no strategic management of assets. Some municipalities are unaware of what assets they have, where those assets are located, how old those assets are and what investments are required to extend the useful life of those assets (National Treasury, 2013). Provincial governments are tasked with the implementation of the national waste management strategy and national norms and standards, and may set additional, complementary provincial norms and standards.

Complaints by communities that the policy did not work, that public policies fail as usual and that they get the feeling that they are being ignored, all make policies which aim to change the behaviour of citizens less effective. People are more susceptible to recommendations when they have been involved in the process which resulted in the recommendations than when the recommendation has been dictated to them.

Poorer municipalities are highly dependent on government grants and loans. Moreover, poorer municipalities are often not able to draw upon grants by central government to the same extent that more affluent municipalities might be since they either do not qualify for the schemes offered by central government or they fail to follow the procedures set out to obtain such funding (Keolble, 1998: 36). They also fail to qualify for infrastructural grants simply on the grounds that they do not have much of an infrastructure in the first place and there is little incentive for either provincial or national government to place scarce resources in economically unpromising areas and regions.

In a study conducted by Pardza et al. (2010: 47), assessing the role of councillors in service delivery at local government level in South Africa, they discovered that although the municipality has literate councillors, different councillors vary in their capacity to engage the public. As there are no minimum qualifications for councillors, it is assumed that councillors can read, understand and analyse the large reports that

they are presented with before the Portfolio Committee meetings. The reality is that this is not the case.

The councillors have to learn the procedures and protocols of the committees on the job. Interaction with councillors indicated that councillors who have served more than one term in the municipality would be more familiar with the procedures than the new ones.

4.16 Support from both the Provincial and National Government to Municipalities

According to COGTA (2009: 17), Section 154 (1) of the Constitution requires both the National and the Provincial Governments by legislation or other means to support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers and to perform their functions. Failure in this regard may result in the invocation by the national sphere of government to the provincial sphere of section 100 of the Constitution.

Provincial supervision, monitoring and support of local government is a Constitutional obligation in terms of sections 154 (1) and Section 155 (6) and (7) of the Constitution. The provincial sphere can intervene in a municipality within its jurisdiction in terms of section 139 of the Constitution (Ibid.: 17).

The 283 municipalities in the country have different capacities and are faced with different social and economic challenges. Depending on their capacities and context, it will be necessary for the municipalities to focus on those responsibilities that they are able to deliver on. This would mean that certain municipalities ought to focus on a smaller set of functions while other municipalities could expand their focus. Support initiatives from National and Provincial Government and other stakeholders will also have to take the different capacities and circumstances of municipalities into account (Delivery Agreement for Outcome 9, 2010: 10).

The government has not treated municipalities equally, and certainly there are some foundations to support this. The distribution of spending per resident varies enormously with the metropolitan areas and richer districts spending up to 30 times more than a poor municipality. Furthermore, poorer municipalities have not had equal access to government grants for infrastructure and other high priority spending to the extent that most affluent municipalities have had.

Most rural municipalities have weak economic base and high levels of poverty. This has a direct negative impact in the delivery of basic services. The local government's equitable share subsidises the institutional capacity of rural municipalities and the provision of basic services. Various conditional grants support the expansion of infrastructure and support capacity development (National Treasury, 2013).

Challenges faced by municipalities in managing roads and storm water infrastructure include:

- a. Inappropriate prioritisation in allocating budgets: new infrastructure prioritised over maintenance;
- b. Maintenance budgets: treated as discretionary and first to be cut to realise savings;
- c. Non-integrated housing developments: due to a lack of co-ordination between provinces and municipalities on location of new housing developments;
- d. Loss of key technical staff; and
- e. Lack of asset lifecycle planning capability.

These challenges of ineffective management of many municipalities have been attributed to a combination of factors from the improper political and administrative interface to weak institutional arrangements and poor supervision and accountability mechanisms. The lack of compliance with the current regulatory, financial

management system is a constant challenge for many municipalities (Delivery Agreement for Outcome 9, 2010: 10).

Indeed, municipalities have two core responsibilities with respect to rural development: the effective provision of basic services, and associated support to LED. Rural municipalities (both B3 and B4) have the highest backlogs in sanitation, electricity and water.

According to the National Treasury (2013) recent trends in access to basic services in rural municipalities have shown a slowdown in delivery occurring in 2009 across all services. In small town municipalities, little growth in access was reported in 2009, other than in electricity provision. In most rural municipalities, a decline in access to water services was reported.

Rural municipalities are home to large numbers of women than men, and to generally younger populations than urban municipalities. The economically active population (measured as those aged 20 to 64 years) in rural municipalities is considerably smaller than in urban areas. People in rural municipalities are also less likely than their urban counterparts to have school qualifications.

Formal employment opportunities in rural areas are limited, often limited to seasonal employment. Average official unemployment (narrow definition) in the B3 municipalities is 23 per cent and 36 per cent in the B4 municipalities (COGTA, 2009).

The following section depicts the audit outcomes of the three municipalities under study for the accounting period of 2004 to 2010. The findings of the Auditor General in the three municipalities are not satisfactory. An assessment of their financial year below explains it in more details.

4.17 Overview of Audit Outcomes of the Municipalities from 2004-2011

The 2010/11 Audit Report of the Auditor-General, for the Mpumalanga Province paints a bleak picture on its performance. Out of the 21 municipalities in Mpumalanga only 4 received clean audits from the Auditor General. These were the following: Ehlanzeni District, Gert Sibande District, Steve Tshwete Local Municipality and the Victor Khanye Local Municipality. It is disappointing that the three municipalities that are under study didn't receive a clean audit report from the Auditor-General, with the exception of Gert Sibande District Municipality.

The Auditor-General noted that the audit outcomes of the three municipalities remain unchanged. They failed to improve their financial unqualified with findings and improve their disclaimer of opinion from their previous financial year. According to the Auditor-General, the three municipalities were under financial distress under period review, noting that Mkhondo and Pixley Ka Isaka Seme Municipalities were put under administration (Audit Report; 2010/11, 18 and National Treasury, 2011:26).

On the overall performance of Mpumalanga Municipalities during the 2010/11 financial year, the Auditor General (Audit Report, 2010/11: 20) made the following remarks;

- That there has been a marginal improvement in the province over the past three years on the performance of Mpumalanga municipalities.
- Only 8 municipalities registered sustained improvements over the past three years.
- Twelve municipalities either regressed or failed to improve their audit outcomes over the past three years and,
- Four of these municipalities continued to obtain disclaimers of opinion, while two regressed from either unqualified or qualified audit opinions to disclaimers of opinion.

In the 2008/9 and 2009/10 financial years the AG made the findings on the three local municipalities. The AG used six categories to classify municipalities according to their level of compliance and performance in the financial year that is under review. These are shown in the Table below.

Table 2: Analysis of Audit Opinion from the Auditor General 2004-2010

	2004/2005	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010
MUNICIPALITY						
Msukaligwa		Financially unqualified with other matters	Financially unqualified with other matters	Unqualified	Financially Unqualified with findings	Financially unqualified with findings
Mkhondo		Adverse Opinion	Adverse Opinion	Qualified	Disclaimer	Audit not finalised at legislative date
Dr. Pixely Ka Isaka Seme		Financially Unqualified with other matters	Qualified	Outstanding Audit	Disclaimer	Disclaimer

Source: adapted from the Consolidated General on the Local Government Audit Outcomes 2009/10; AG's Presentation on MFMA Audit Outcomes 2004/2008 Municipalities

The information relating to the Auditor General's opinion for the 2004/05 financial years, of the three municipalities could not be verified and found despite an attempt to source it from the Office of the AG. The Office of the Auditor General was contacted with the purpose of getting such information; however, it emerged that the AG's office only keeps information for seven years in their system.

Without being subjective, it is important for municipalities to have dynamic world-class management processes and appropriate leadership in place politically, managerially and structurally. This will assist municipalities to plan its core business effectively and efficiently. Quality cannot be compromised as it must be an integral part of the strategic plan, progress and improvement must be regularly communicated and monitored (Naidoo and Reddy; 2008: 44). Perhaps, this process could lead to other mechanisms of addressing some of the failed projects like 2014 Audit Clean Report which was envisaged by then Minister of Cooperative Governance and Traditional Affairs.

According to COGTA (2009: 12), Municipal IQ pointed out that it is not easy to predict the likelihood of the occurrence of protests, given that protests do not necessarily take place in the poorest municipalities in South Africa. Protests do not necessarily occur in municipalities or wards with the worst service delivery backlogs. Population growth and urbanisation are key determinants from which a link with protests can be made. Housing administration and management are also some of the key concerns of residents, followed by the cost of services.

Equally important, municipalities need to operate in a business minded style to maximise profit for their own benefit. This calls for critical positions such as managerial, technical and skills training, which cannot be overlooked for their own survival. However, this could be done by firstly addressing one critical element which is the educational adequacies within these municipalities. Properly capacitating them will in future assist in curbing the unnecessary appointment of consultants for minimal jobs that could be done by highly trained municipal officials at no extra costs.

Cloete quoted in De Villiers (2008: 96) has a different view. He argues that one useful approach to assess systematically how public service delivery can be improved is to distinguish between the contents of government policies (that is, what government intends to do to transform its society into a better place) from the processes

employed to implement those policies (how governments go about trying to achieve their policy goals). Any restructuring, therefore has to result in improved problem identification, policy, programme designs, policy implementation strategies and policy outcomes that achieve the envisaged policy design goals.

Section 68 (1) of the Municipal Systems Act, 32 of 2000 is clear about the provision of capacity by municipalities. It stresses that a municipality must develop its human resource capacity to a level that enables it to perform its functions and exercise its powers in an economical, effective, efficient and accountable way, and for this purpose must comply with the Skills Development Act, 1998 (Act No. 81 of 1998), and the Skills Development Levies Act, 20 1999 (Act No. 28 of 1999).

A municipality, through appropriate mechanism processes and procedures established in terms of Chapter 4, must involve the local community in the development implementation and review of the municipality's performance. The mismanagement system negatively affects the relationship between municipalities and community members. In most cases community members feel left aside deliberately by their municipalities due to fear of accountability and transparency.

This accordingly is an indication of the constant failure to deliver basic services on time to community members, which has grossly affected public confidence in local government; hence many people tend to undermine the existence of a local government sphere as not providing for them. From the national fiscus, the current service delivery model is not appropriate and that is why municipalities will forever experiencing protests be it neither peaceful nor violent.

The fact that poor municipalities should raise taxes from indigent communities will not solve many of the problems they are facing. The national government need to intervene for the benefit of community members. Otherwise, municipalities will not cope with the expectation from community members.

National and provincial government have a constitutional responsibility to support and strengthen the capacity of municipalities to manage their own affairs. Section 139 of the Constitution provides for intervention in a municipality where it fails to fulfil an executive obligation, such as approving a budget or when there is a crisis in its financial affairs. Municipalities are becoming increasingly dependent on national infrastructure grants to fund their capital budgets. This is not a sustainable trend.

With the current situation that municipalities find themselves in, the reality is that some might not escape the protest for services. Lest, they failed to achieve the 2014 clean audit as alluded to by Powell et al, (2014: 2). Powell et al (2014) raised the two fundamental questions, i.e. accountability and experiences to effectively implement policies which are they aimed at improving the lives of people on the ground. As things stand, most rural municipalities will battle to deliver basic services to communities on time and this has potential of fuelling future protests for services.

If not, an uprising of the poor will emerge and undermine the stability of the country as a whole, if not addressed. The alienation and exclusion among a segment of the population will take up arms and fight their municipalities. The prevalence and violence of the civic protests, in what is generally labelled municipal service delivery processes, are sometimes used as evidence for making a wider argument that the South African state has “failed” or is “failing” (Powell et al, 2014).

Public institutions should constantly strive towards improving their service delivery. There is no such thing as ‘arriving’ when it comes to service delivery. It is also important to remember that customer expectations do not stand still. What was yesterday's delightful surprise is today's norm (Crous, 2004: 587). This calls for all government institutions to equally play their meaningful role in addressing the bottleneck faced by municipalities. Rather than waiting for a situation to turn volatile in municipalities, each would need to make a checklist of services that ought to be delivered and deliver them on time.

According to COGTA (2009: 33), there is a lack of policy coherence, multiple reporting demands and a weakening of institutional and organisational abilities in many of our municipalities. Functional overreach and complexity are forcing many municipalities into distress mode, exacerbated by the poor leadership and support from the other spheres and from stakeholders.

With respect to community engagement with public representatives, in instances where it was found that there was a lack of a genuine participatory process, due to political instability, corruption and undue interference in the administration, then it can be said that there is a failure to provide democratic and accountable government. This failure is growing as evidenced by the community protests and intense alienation towards local government being expressed by such communities (Ibid.: 33).

Political office bearers must understand that they are accountable to community members because they are elected into power to represent their voices not the other way round. Too much politicising the business of municipalities to serve a particular interest of a society will not address problems faced by community members. Political parties need to work together in the realisation of the plight facing community members because when protests for services erupt all political parties are affected. Professor Peter Alexandra warns that, the rising levels of protests are a warning that the problems of poor people need to be addressed. "There is a ticking time bomb in South Africa (Grant, 2014).

Municipalities have the responsibility of educating community members about the dangers of destroying public property as well as enforcing by-laws. When governments do not feel the pressure to respond to citizens' demands, when they are incapable of enforcing basic performance rules on those directly responsible for services delivery, and when citizens have no control or choice over service providers, typically service delivery will fail (The World Bank, 2011).

To tackle the challenges facing municipalities, government has introduced a Single Window of Coordination (SWC), which is seen as a concept and organisational form to bring about greater cohesion in the work of government, particularly, but not exclusively at the national level, it is essentially an institutional mechanism to lessen the fragmentation within the cooperative governance arrangements impacting on local government. It will also provide for a more focused oversight and support role for the provinces and provide for a greater knowledge bank on municipal environments. It's practical manifestation will be a cross-departmental committee comprising the departments of Human Settlements, Environment and Water Affairs, Rural Development, Energy and National Treasury under the leadership of the Department of Cooperative Governance (Delivery Agreement for Outcome 9, 2010: 16-17).

The proposed Municipal Spatial Classification System develops municipal profiles according to functionality, socio-economic profile and backlog status. Four classifications are provisionally identified (Delivery Agreement for Outcome 9, 2010);

- Class 1: Most vulnerable (57)
- Class 2: Second most vulnerable (58)
- Class 3: Second highest performing (58)
- Class 4: Highest performing (58)

This system would be linked to a system which rates municipalities on the basis of a minimum floor level of outcomes and functionality with regard to the delivery of Priority services, effective administrative and financial performance and democratic and accountable government. The principle of differentiation is that each municipal area's unique circumstances need to be taken into consideration before applying a uniform fiscal and policy regime, or expecting equitable standards in performance and service delivery. There will be many challenges in crafting a functional framework for differentiation, as well as applying norms and standards to different settlement types (Ibid.: 16-17).

4.18 Conclusion

This chapter has outlined how the study was carried out. Not only did it detail the steps that were followed, it also highlighted some of the challenges that were experienced during the data collection phase. The chapter has also revealed that the violent protest for services in Gert Sibande Municipality happened for various reasons. The interviewees mostly reported political interference as the main cause of the protests. This is supported by the two memoranda that were sent to the Office of the Premier by the protestors. One classic example cited in the memoranda was that councillors were meddling in the recruitment of the appointment of personnel. The poor relations between labour and management were cited as resulting in the flouting of procedures and policies for sound human resource practices (COGTA, 2009: 67).

Furthermore, there have been claims by organised labour that nepotism and favouritism result in erratic appointments and promotions. Cases have been cited where posts are filled without being advertised; people are appointed to posts that are not in place or accounted for in the organogram (Ibid.: 67).

National Treasury indicated that 28% of municipal employees are appointed to non-existent positions, which is not reflected in the municipality's organisational structure. This seems to be widespread among municipalities in Mpumalanga, where more than 60% of municipal employees are appointed to positions not reflected in municipal organisational structures (Ibid.: 68). Based on these facts, we can conclude that the outbreak of protests should not simply be confined to lack of service delivery. This factor only constitutes one element in the puzzle. The causal factors for these rampant protests are more complex than they seem at face value. A cogent analysis of both secondary and empirical data in this chapter forces us to think about protests in a more sophisticated manner than we have done to-date.

With this said, the next chapter takes a closer look at the background information on Gert Sibande District and local municipalities which are the focus of this study.

CHAPTER FIVE

BACKGROUND INFORMATION ON GERT SIBANDE DISTRICT AND LOCAL MUNICIPALITIES UNDER STUDY

5.1 Introduction

This chapter provides a brief background of municipalities and describes their socio-economic indicators such as: demographic indicators, age distribution, labour indicators, educational levels, development indicators, as well as employment and/or unemployment levels. This is followed by the basic service delivery indicators as well as related data pertaining to the economic well-being of these municipalities. Furthermore, an assessment of the basic service provision by the three municipalities will be provided at the end.

The reason for analysing the above mentioned indicators is to determine the type of services that are provided by the three municipalities to community members. Quantitative data in the form of statistics sourced from the Census Report of 2011 and the Mpumalanga Finance Report of 2011 will be utilised. The reason for using the survey from Stats SA and Mpumalanga Finance Report is because survey data can be used to analyse the individual sources of protests, or they can be aggregated to create country characteristics of protest activity of potential (Wallace and Jenkins quoted in Jenkins and Klandermans, 2005: 50]). The usage of Stats from the sources mentioned above does not prevent one to use source documents from other authors like journals and other scientific materials.

This chapter further seeks to determine if there is a link between the socio-economic conditions and the emergence of the violent protest for services in the three municipalities. It is crucial to note that the three municipalities have the high levels of youth unemployment which could be amongst the contributors to the causes of violent protest for services. Furthermore, it should be mentioned that these municipalities have a larger number of people who are indigent, live below the

poverty line, and whose employment is dependent on two main sources, which is mining and agriculture.

Moreover, this chapter will provide a background analysis of three of the seven local municipalities which are all under Gert Sibande District Municipality, namely, Msukaligwa, Mkhondo and the Pixley Ka Isaka Seme. These municipalities are the units of analysis for this study. Both the Gert Sibande District Municipality and Dr. Pixley Ka Isaka Seme Local Municipality were named after the past struggle heroes of liberation in South Africa. A concise historical background of each of them will be provided to ensure their relevance to this study. It is also crucial to note that not much is said about Msukaligwa Local Municipality in the background analysis due to the fact that the municipality is named after the Vaal River (the origins of the Vaal River), as opposed to the other two municipalities that were named after the struggle heroes of the liberation movement.

This doesn't take away the fact that towns like Ermelo, Breyton, Lothair, Chrissiesmeer and Davel which are located in Msukaligwa, played an important role in South Africa's liberation struggle since they were used then by Umkhonto weSizwe, People's Liberation Army as a transit to both Mozambique and Swaziland.

Since 2000, South African Municipalities were hit by a spate of service delivery protests recorded ever since the demise of the Apartheid regime in 1994. Between 2004 and 2010, the service delivery protests intensified but declined toward the hosting of the 2010 FIFA World Cup. The rationale behind the service delivery protests were akin to the fight that was waged by the black people against the apartheid system of non-delivery of basic services to their townships.

According to Steyn quoted in Jili (2010:1) for the seven years between 2004 and 2011 there has been a dramatic acceleration of local government protests in South Africa, and in a six-month period between January and June 2009 a total of 26 service delivery protests were recorded in Mpumalanga (Piet Retief and Balfour

townships), Gauteng (Thokoza and Diepsloot), North West (Rustenberg and Zeerust), Western Cape, Free State, KwaZulu Natal and the Eastern Cape.

During the 2004/05 financial year, approximately 6,000 protests were officially recorded, with an unknown number remaining unrecorded. This amounted to at least 15 protests each day. However, the number has escalated dramatically since then. There was a dramatic surge in protests shortly after Jacob Zuma took presidential office in 2009, and an increasing number has been recorded in informal settlements, characterized by shacks or shanty structures (Jili, 2010: 2).

In many instances the cause of the protests was associated with poor services ranging from lack of infrastructure e.g. RDP houses, Clinics, Hospitals and tarred roads; access to portable water; electrification of houses; high unemployment rate amongst the youth; and lack of access to land (Grant, 2014).

In some instances, protests happened spontaneously. It becomes difficult to know where service delivery protest will occur. It is for that reason that Cloete (1982: 241) argued that each local community has one or more unique characteristics to distinguish it from all other local communities. Nevertheless, with regards to protests for service delivery within municipalities there seems to be no difference.

5.2 Brief historical background (Gert Sibande, Saul Mkhize and Pixley Ka Isaka Seme)

As mentioned in the introduction, this section offers a brief overview of leaders such as Gert Sibande, Saul Mkhize and Pixley Ka Isaka Seme. The three played a pivotal role in emancipating the people of Mpumalanga, particularly in areas such as Bethal, Driefontein, Volksrust, Driefan, Daggakraal and other surrounding areas. The people of Gert Sibande District Municipality saw it fit to name their district as well as their local municipalities after the above mentioned leaders as part of honouring the role they played in the fight against apartheid in South Africa.

5.2.1 Gert Sibande

Gert Sibande was born in Ermelo in 1901. He was an ANC activist who joined the ANC in 1942 and was responsible for forming its Bethal branch of which he became its Chairperson. He was a farm labourer in the Bethal district. He emerged in the 1930s as an organizer among the rural farm workers when he founded a farm workers' association and became an instrumental leader of the ANC (President Zuma's Speech, 2008).

Gert Sibande was instrumental in the potato boycott of 1947. He publicized the conditions of workers. Sibande experienced first-hand the brutal practices on the farms, and called on a journalist, Ruth First, and a priest, Michael Scott to investigate the conditions under which workers lived and worked. They exposed the inhuman conditions in a publication called *New Age*. Drum Magazine later took up the story in 1952. Despite the overwhelming response to the article Mr. H F Verwoerd, then Minister of Native Affairs dismissed it in parliament as "a most unjust attack by unwarranted generalizations." The state refused to act against the exploitation of the workers (Ibid., 2008).

Gert Sibande was also part and parcel of all the major struggles and campaigns that took place in the 1940's and the 1950's. He participated actively in the Defiance Campaign of 1952. He also played an instrumental role in the campaign against the introduction of Bantu Education in 1953, and was part of a build-up and the actual drafting of the Freedom Charter, which was adopted in Kliptown in 1955 (Ibid., 2008).

5.2.2 Who was Saul Mkhize?

A question might arise why is Saul Mkhize featuring in the study? Saul Mkhize played a role in the fight against the removal of black people in the areas of Piet Retief now Mkhondo Local Municipality which is located in the Gert Sibande District Municipality. It would be unfair not to mention his name amongst the late struggle heroes who

devoted their lives in the fight against the forced removals of black people in their ancestral land.

Saul Mkhize was a unique man as well as one of the millions of victims of the policy of forced removals. He chaired the Council Board of Direction, a group which resisted the forceful removal of black people by the oppressive apartheid government which wanted to move the Sesotho speakers of Driefontein to the homeland of QwaQwa, the isiZulu speakers to the homeland of present-day Kwa-Zulu Natal, and the siSwati speakers to the homeland of Kangwane (Delius, 2007:379-387).

According to Delius, Saul Mkhize was regarded as one of the struggle martyrs of the time who dissented, and was determined to oppose by all peaceable means the threatening removal of his people from Driefontein, where they held title deeds dating back to 1912. Mkhize is described by those who knew him as a person who was innately decent, honourable and gently, and as someone who, in his naivety, expected his fellow men to display the same qualities of reasonableness (Ibid., 379-387).

The then government escalated its intimidation by kidnapping and severely torturing his son Paris, until he lost consciousness while they were interrogating him about his father. He was later imprisoned for a night at the Piet Retief Police station and released the following day. This treatment, according to Mkhize, meant that the then government was at war. On the 19th of March 1983, Mkhize, together with 800 people of Driefontein, gathered and unanimously resolved to oppose the forced removals (Ibid., 379-387).

Mkhize ran the meeting where people discussed various community issues, like the removals, additions to the school buildings, and drilling a new borehole. A police van driving into the school grounds interrupted the meeting. A young policeman, Constable J. A. Nienaber got out and told Mkhize that the meeting was illegal and that the people should go home.

However, Mkhize challenged the policeman ‘this is our land,’ he said, ‘and we built this school with our money. We have held many meetings here.’ Constable Nienaber slapped Mkhize in the face. This angered the people who attended the meeting. They jumped up to attack. But as a dedicated, selfless and disciplined leader, Mkhize protected the constable and sent him out of the schoolyard. When he got outside the gates, Constable Nienaber took out a gun from his van and shot at Mkhize. The first shot hit a tree and his second shot fatally wounded Mkhize (Ibid., 379-387). This was an irony. The very same man who had saved the police officer met his fate at the hands of the same man whose life he had just saved a few minutes earlier. This was the nature of apartheid; a black person’s life was worth nothing and could be ended at any time.

5.2.3 Dr. Pixley Ka Isaka Seme

Dr. Pixley Ka Isaka Seme was born on 1 October 1881 in Natal. He obtained his primary education at the local mission school where the American Congregationalist missionary, Reverend S. C. Pixley, took an interest in him and arranged for him to go to the Mount Hermon School in Massachusetts in the USA to pursue his studies (Overcoming Apartheid and building Democracy).

Seme is considered by many as the founder of the South African Native National Congress (SANNC), the precursor of the ANC. Not only did he conceptualise the form and structure of the movement, he also facilitated the founding of the SANNC in Bloemfontein in 1912 (South African History Online).

Seme was the keynote speaker at the inaugural meeting of the SANNC and he was elected its first treasurer-general. He also launched the organisation's newspaper called *Abantu Batho* ('People') because he believed that a regular channel of communication had to be created to maintain contact between the new organisation and its members. The paper was multilingual, carrying articles in English, isiXhosa,

isiZulu, seSotho and seTswana. Seme formed the South African Native Farmers Association (SANFA). At the 1930 annual congress of the ANC, he was elected president-general of the organisation, a position he held until 1937 (The Presidency RSA, 2014 and IDP of Dr. Pixely Ka Isaka Seme: 2010).

Seme bought land on behalf of the associations of Daggakraal, KwaNgema and Driefontein. These purchases probably gave great impetus to the enactment of the Native Land Act of 1913 which forbade the purchase of land by a black person in South Africa (Ibid., 2014). It was as a result of these roles that Seme earned himself a place in South Africa's political history.

5.3 Socio-Economic conditions of Gert Sibande District Municipality

The Gert Sibande District Municipality is bordered by Ekurhuleni Metropolitan Municipality to the west and Sedibeng District Municipality to the south west respectively (both in the Gauteng Province), Ehlanzeni District Municipality to the north east and Nkangala District Municipality to the north respectively (both in Mpumalanga Province), Zululand District Municipality in KwaZulu-Natal Province to the southeast, and Swaziland to the east. Spatially Gert Sibande District Municipality is the largest of the three Districts in Mpumalanga Province at 31 846 km², covering 40% of the Mpumalanga Province land mass (Gert Sibande Annual Report, 2008/9:11).

The District is servicing seven constituent local municipalities, namely: Chief Albert Luthuli, Msukaligwa, Lekwa, Mkhondo, Dr Pixley Ka Isaka Seme, Govan Mbeki and Dipaleseng. More than half of the district's population, namely 52, 76% and almost two thirds of the households (62, 04%) live in urbanized areas. A third 29, 67% of the households reside on farmland (Gert Sibande Municipality 2011, online edition).

All local municipalities in Gert Sibande District Municipality fall under Category B municipalities according to the Municipal Structures Act, 2000. A Category B municipality, according to Craythorne (2003: 51) has the following features:

- A municipality with a collective executive system
- A municipality with a collective executive system combined with a ward participatory system
- A municipality with a mayor executive system
- A municipality with a mayoral executive system combined with a ward participatory system
- A municipality with a plenary executive system, and
- A municipality with a plenary executive system combined with a ward participatory system.

The three local municipalities are bordered by small towns and are surrounded by many farms. The towns found within these municipalities are centuries old and date back to the Transvaal era. They accommodate a large number of farms and farm dwellers who experience constant abuse at the hands of farmers. A case in point is the 1960 Potato Boycott of Bethal by Gert Sibande and Saul Mkhize who fought for the people in Driepan, Driefontein and Daggakraal to get their own land as well as Dr Pixley Ka Isaka Seme. A brief history and the role they played in the struggle for universal suffrage follows in the next section.

These municipalities date back to the apartheid era, but started servicing all racial groups when South Africa became a democracy in 1994. They became part of the 283 Municipalities as a result of the municipal election of December 2000, which brought the final transitional phase of local government to a close with the establishment of 284 fully elected municipalities. The local government is now positioned as the key site of service delivery and development and stands central to the entire transformation project of post-apartheid South Africa (Layman, 2003).

The 2000 Municipal Election, which was the first national South African municipal election, reinforced this idea and gave them a 'period to figure out some of the new third-generation ground rules of the developmental game' and led to the re-demarcation and establishment of new provinces from four to nine and reconfiguration of racially based municipalities to non-racial local government (Atkinson, 2003-2004: 120; Chikane, 2013: 18).

To ensure that the idea of a local government was established and that it responded to the needs of all South Africans, Parliament passed a number of Acts which laid the foundation for local government. These Acts were: the Municipal Structures Act, (No. 117 of 1998), the Municipal Demarcation Act (No. 27 of 1998), the Municipal System Act, (No. 32 of 2000), the Municipal Finance Management Act (No. 56 of 2003) and the Municipal Property Rates Act (No. 6 of 2004), as well as the Municipal Finance Act of 2000 (Davids et al, 2009: 61).

5.4 Population dynamics of Gert Sibande District Municipality

According to the 2011 Census Report, Mpumalanga province experienced a slow population growth for the period between 1996 and 2011. The Gert Sibande District Municipality experienced a drastic decline in population growth from 2, 42 in 1996 to 1, 48 in 2011. This decline in population growth could be as a result of urbanisation and other socio-economic factors. With regard to the three municipalities under study, their population growth rate was recorded as follows: Msukaligwa 1.80, Mkhondo 1.84 and Dr. Pixley Ka Isaka Seme 0. 30 (Census Report, 2011).

The District has shown an improvement in terms of population distribution that completed Grade 12 or Matric. With higher education and a decline in the population, the municipality is not balanced. But what is important is that the level of schooling has been on the increase. For example, in 1996, 29.4% of the population was with no schooling, but in 2011 this figure had declined to 14% (2011 Census Report).

With regard to the population with matric in 1996 it was 13.4% and 29.4% in 2011, while those with higher education in 1996 stood at 5.2% and moved up to 9.3%. This shows an improvement in the educational background for the people of Gert Sibande District as compared with Nkangala District.

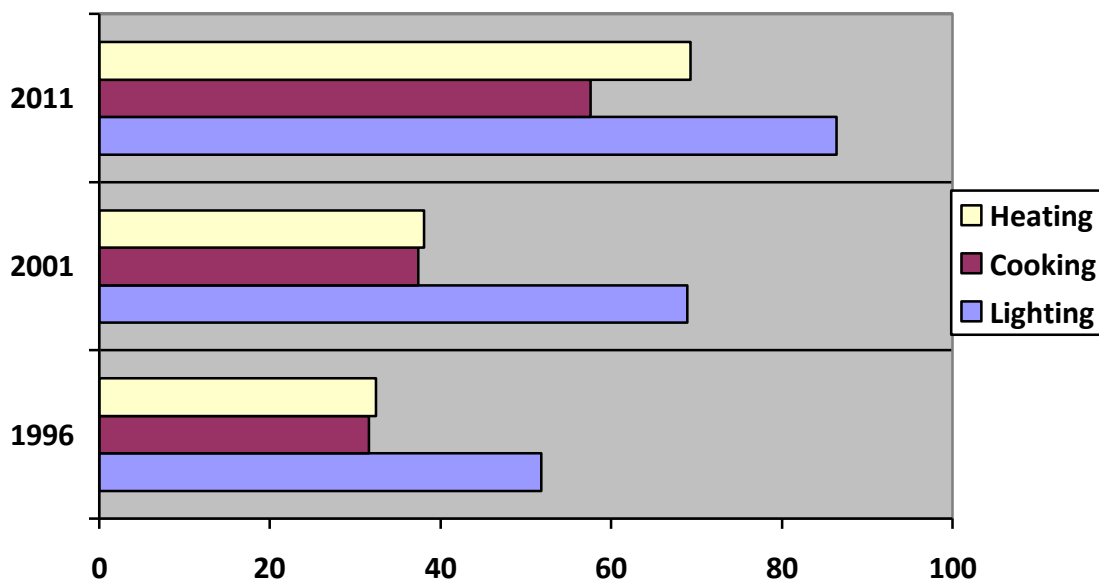
Unemployment remains a major concern throughout South Africa. Gert Sibande is not immune from this pandemic. In 1996, the rate of unemployment was as high as 32.7% and 42.8% in 2001 and showed a slight decline in 2011 at 29.9 % (Ibid.: 2011). In terms of unemployment rate, Gert Sibande District has had the highest score as compared to the two Districts, i.e. Ehlanzeni and Nkangala Districts. This is particularly because Ehlanzeni is the capital of Mpumalanga Province; as a result, more industries and factories will be situated in the area thus improving the employment chances of job seekers. Nkangala on the other hand is relying on Gauteng for employment opportunities since it is bordering Gauteng, the economic hub of South Africa. In 1996, the unemployment rate was 32.7%; in 2001 it was 42.8 and the figure stood at 29.9% in 2011. The Gert Sibande District recorded the highest unemployment rate it stood at 34.7% in 2011 (Census Report, 2011: 20).

The 2011 Census report indicated that Gert Sibande District Municipality had more people with access to piped water in a dwelling or yard and tap water in a communal yard than Ehlanzeni. In 1996 no less than 60.2% of them were counted and in 2011 the figure improved to 81.3%, while at Ehlanzeni in 1996 the figure stood at 48.3% and moved slightly up to 57.8% in 2011. The Gert Sibande District Municipality has a larger proportion of people whose refuse is removed by local authorities than in Nkangala and Ehlanzeni Districts.

Mpumalanga Province has shown an increase in the proportion of households with flush or chemical toilets. Only about a quarter of the households use flush/chemical toilets in Ehlanzeni while in Gert Sibande, which has the highest proportion; has a third of the households using flush/ chemical toilets in 2011 and a decline in the proportion of households with no toilet facilities (Census, 2011).

There has been noticeable improvement with regard to the proportion of the households using electricity in Mpumalanga as opposed to those utilizing it during the advent of democracy in 1994. There has also been an improvement in the usage of electricity by the people of Mpumalanga in the following categories: lighting, cooking and heating, as indicated by the graph below.

Figure 4: The graph showing the usage of electricity by the people of Mpumalanga in 1996, 2001 and 2011



Source: Adapted from the Census 2011 Municipal Report Mpumalanga

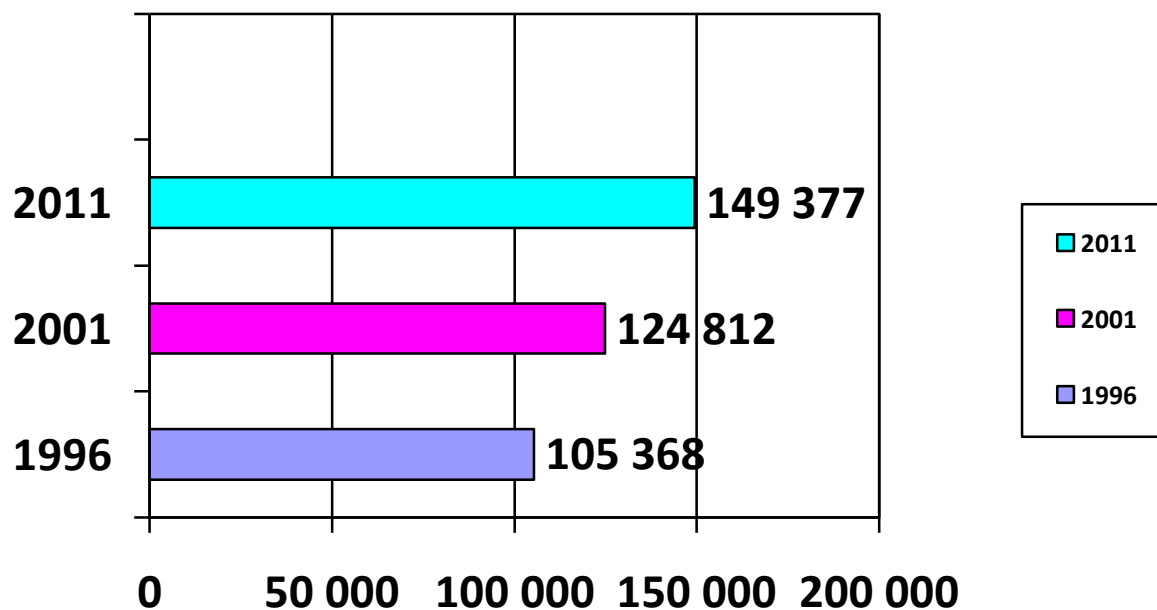
The area that has shown vast improvement is the proportion of the households using electricity for lighting. In 1996, the number was 51.8% and it stood at 68.9% in 2001 whilst in 2011 the number rose to 86.4%. This increase in electricity usage was followed by heating at 32.4% in 1996 and 69.3% in 2011 (Census, 2011: 19).

5.5 Msukaligwa Local Municipality

The Msukaligwa Local Municipality is amongst the seven local municipalities under the Gert Sibande District Municipality. This municipality is well-known for its coal mines that contribute to South Africa's energy sector. For example, Mpumalanga produces about 80% of South Africa's coal (Portfolio of Municipalities, 2008: 289). The Msukaligwa Local Municipality is bordered by the following small towns: Bankkop, Breyton, Chrissiesmeer, Davel, Ermelo, Holbank, Kafferspruit, Lothair, Sheepmoor and Warburton (Gaffney's, 2007/8: 839).

In 2007, its population stood at 126 274 people amounting to 14.2% of the total population of Gert Sibande District. Out of this population, 52.3% were females and 47.7% were males. In the 2011 Census Report, the population of Msukaligwa Local Municipality stood at 149 377. This means that in ten years the population of this municipality grew by 24 565 people. The chart below illustrates the growth of the population of this municipality from 1996 till 2011.

Figure 5: Population Dynamics of Msukaligwa Local Municipality, 1996-2011



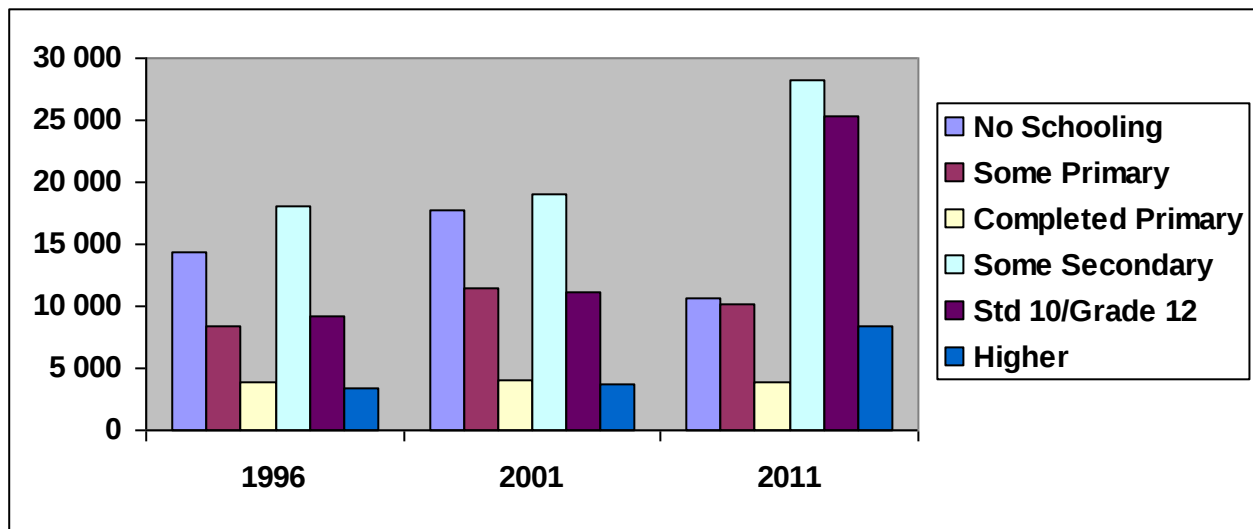
Source: Adapted from the 2011 Census Municipal Report, Mpumalanga Report

With regard to population dynamics, 85.8% were Africans, 13.9% were Whites and Coloureds accounted for 0.3%. Youth at the age of 34 years accounted for 68.8% of the population. The prevalence of HIV/AIDS was 37.2%, making it the second highest amongst the 18 local municipalities (Mpumalanga Finance Report, 2011).

According to the Mpumalanga Finance Report, unemployment rate at this municipality stood at 26.3% in 2010, which was a slight increase of 3.3% from 2007. This result ranked Msukaligwa local municipality 11th out of 18 municipalities in Mpumalanga. The employment rate stood at 16.4% – the leading employment sector being the Agricultural Sector at 20.1%. Community services at stood at 20.7% and trade was calculated at 17.8%. Community services have been in the increase while the agricultural sector has been on the decrease. This was due to the increase of employment in both the mining and agricultural sectors.

With regard to education indicators, 12.8% was made up of people 15 years and older with no formal education. Those with matric only and post matric qualification stood at 26.3%. This percentage was lower than the district and provincial averages. The pass rate in 2011 stood at 70.5% showing an increasing trend. With regard to the functional literacy rate, there was more than 20% of the population with grade 7+. The chart below illustrates the distribution of the population aged 20 years and older by highest education attained by both females and males between 1996 and 2011.

Figure 6: Distribution of the Population aged 20 years by highest level of education



Source: Adapted from the 2011 Census Municipal Report, Mpumalanga Report

The chart above illustrates a decrease in the number of people without schooling. As shown above, in 1996, there were 14 395 people without formal schooling. The number increased to 17 756 in 2001 and then declined to 10 632. This shows progress in terms of people attaining schooling in the municipality. This has been supported by those who have completed matric as well as those who attained higher education as the number has increased from 3 357 in 1996 to 8 339 in 2011.

Msukaligwa Local Municipality recorded the second highest best (98.0%). It ranked among the 18 local municipalities in the province with households with access to water at or above RDP level. According to the 2011 Census Report, 31 955 households had access to piped water as compared to 20 060 in 2001. These results indeed indicate an increase in accessibility of water by the general populace. But the big question remains as to whether those taps will constantly provide water, uninterrupted to the electorate of this municipality.

The area that needs attention is the accessibility of tap water at a communal level. The backlog remains high. In 2001 the backlog was at 6 554 and in 2011 it stood at

5 135 (Census Report, 2011). The figures point to a large number of households who need to be serviced in order for the municipality to reach the Millennium Development Goals [MDG's] on water access.

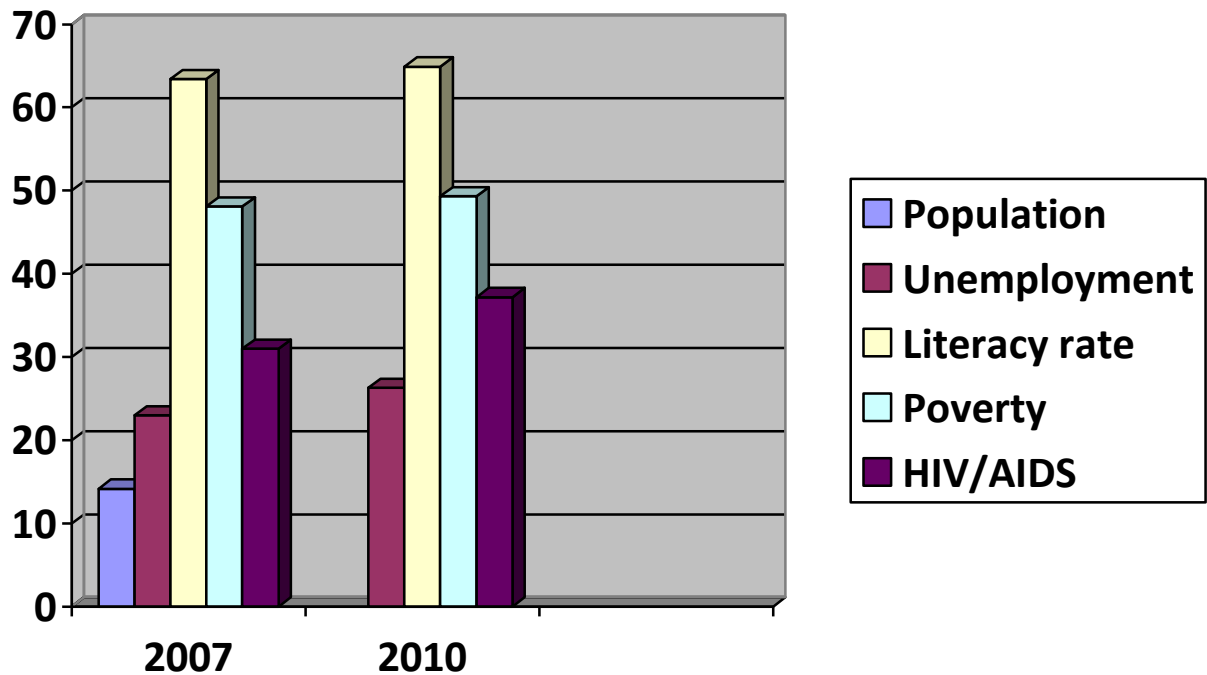
Electricity remains an essential commodity consumed by many households in the country, despite its 2008 debacle of load shedding. With regard to electrification, this Municipality stood at 74.7% of households with access to electricity in 2009. The backlog stood at 10 820. This translates to 82.9%.

There is a noticeable upward trend with regard to the usage of electricity for cooking, lighting and heating by households in this municipality. Those that were using electricity for cooking in 2011 were 20 092 compared to 8 6984 in 2001. With regard to the usage of electricity for lighting the number of households doubled. For example, in 2011 the figure was 30 561 and it stood at 15 741 in 2001. Those that were using electricity for heating the number was 7 971 in 2001 as compared to 17 484 in 2011 (Census Report, 2011: 73).

Like in many parts of the country, poverty remains a serious concern affecting the majority of the poor South Africans. In 2007, it stood at 48.1% and was 49.3% in 2010. Everatt (2008: 301) notes that there is general consensus that poverty levels remained appallingly high around half the population until social grants kicked in, in the early years of the new millennium.

With regard to per capita personal income, the municipality was ranked fourth, the lowest in both the district and the province as 53.9% of the households earned below R42 000 per annum. The graph below illustrates the population growth, unemployment rate, literacy rate, poverty rate and the levels of HIV/AIDS in Msukaligwa Local Municipality between 2007 and 2010.

Figure 7: Indicators for the Msukaligwa Local Municipality



Source: Adapted from the report presented by the Department Finance Mpumalanga 2011.

The leading employment sector in the municipality between 2001 and 2010 was the Finance sector, followed by the Community services, Trade, Transport and Mining, but in 2010, the Mining and Trade employment sectors showed a slight decline. The three employment sectors, i.e. Finance, Community services and Transport have shown a slight improvement in recent times. This is according to the report by the Department of Finance of Mpumalanga Province of 2009, ranked Msukaligwa the second largest economy in Gert Sibande District Municipality.

Refuse removal is vital to all municipalities. It is another crucial service that is carried-out by a municipality in keeping with the hygienic safety measures. At a glance, the Census Report of 2011 raises eyebrows. According to the report, 3 313 households' rubbish was not collected by the authorities while 9 819 households use communal or own dumping sites. This number had increased from the 8 524 recorded in 2001. The only improvement is with regard to households' refuse removal by local authorities. In

2001 the number was 19 454 and in 2011 it moved up to 27 395 (Census Report, 2011: 75).

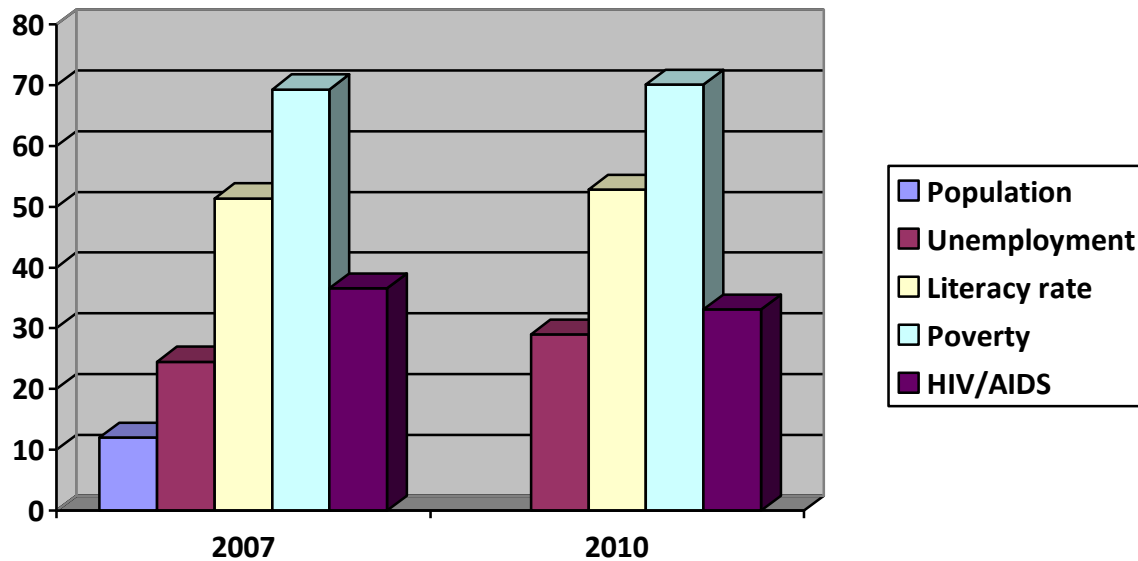
Sanitation remains a challenge in this municipality. There are still a number of households utilizing the bucket system. This is despite the fact that the national target to eradicate the backlog has since lapsed in 2008. According to the Census Report of 2011, there were 1 987 households without toilets as compared to 2 130 in 2001. And for those using the bucket system in 2001 the figure was 457 and 794 in 2011. This was as a result of the new settlements. Households utilising the pit-latrines in 2001 was 6 017 and it was 6 139 in 2011. With regard to those with the flush or chemical toilets there is a general improvement from 20 447 in 2001 to 30 143 in 2011 (Census Report, 2011).

5.6 Mkhondo Local Municipality

The Mkhondo Local Municipality is also amongst the seven local municipalities found in the Gert Sibande District. It borders the province of Kwa-Zulu Natal and Swaziland and supports the function of the following towns: Amsterdam, Ansysspruit, Berbice, Comondale, Dirkiesdorp, Iswepe, Piet Retief [now Mkhondo], Panbult and Witterberg (Portfolio of Municipalities, 2008: 294; Gaffney's, 2007/8: 837). This municipality is known for its war memorials such as: the Zulu War Memorial and the Heinrich and Nils Larsen Monument where British Soldiers died in the Intombe War (Ibid.: 837).

The graph below illustrates the population growth, levels of poverty, unemployment rates, and literacy levels as well the HIV/AIDS levels in the municipality from 2007 till 2010.

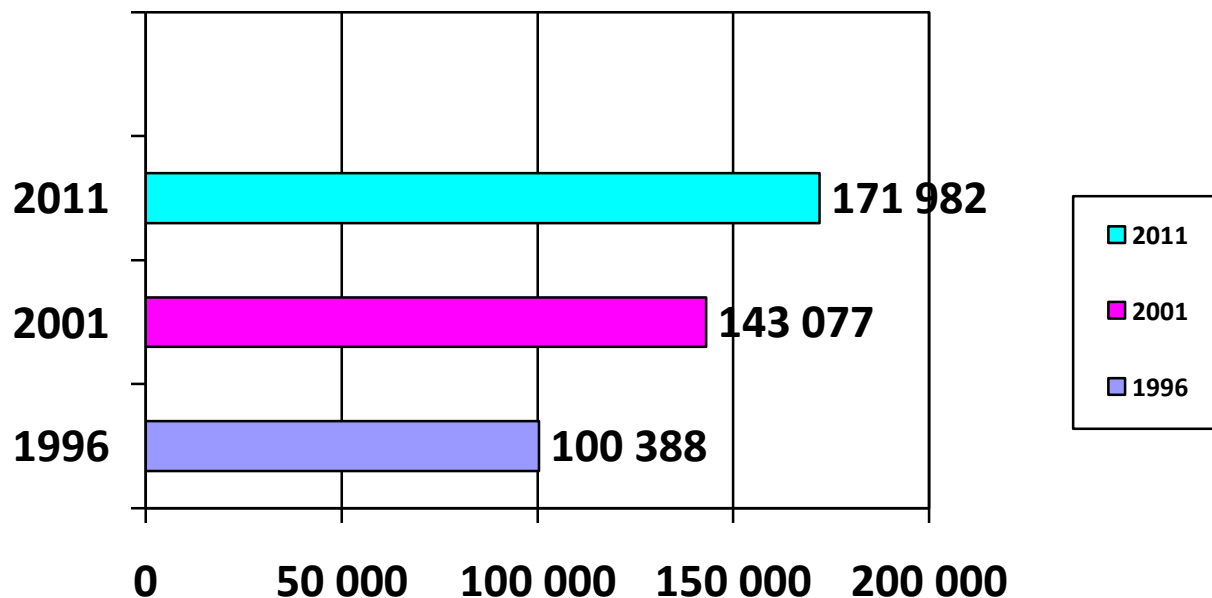
Figure 8: Indicators for the Mkhondo Local Municipality



Source: Adapted from the report of the Department Finance Mpumalanga 2011.

According to the Stats SA of 2007, Mkhondo Local Municipality had a population of 106 459. This number accounts for 12% of the total population of Gert Sibande District. In 2011, the population of this municipality stood at 171 984, which marked an increase from the figure of 143 075 recorded in 2001 (Census, 2011). In terms of the number of people per household the number stood at 3.6 people per household. With regard to gender rate, females constituted 53.8% of the population during the period under study while males made up a total of 46.2% of the total population of Mkhondo Local Municipality (Census, 2011). Graph 6 below shows the population dynamics of Mkhondo Local Municipality.

Figure 9: Population Dynamics of Mkhondo Local Municipality 2001-2011



Source: Adapted from the Census 2011 Municipal Report, Mpumalanga Report

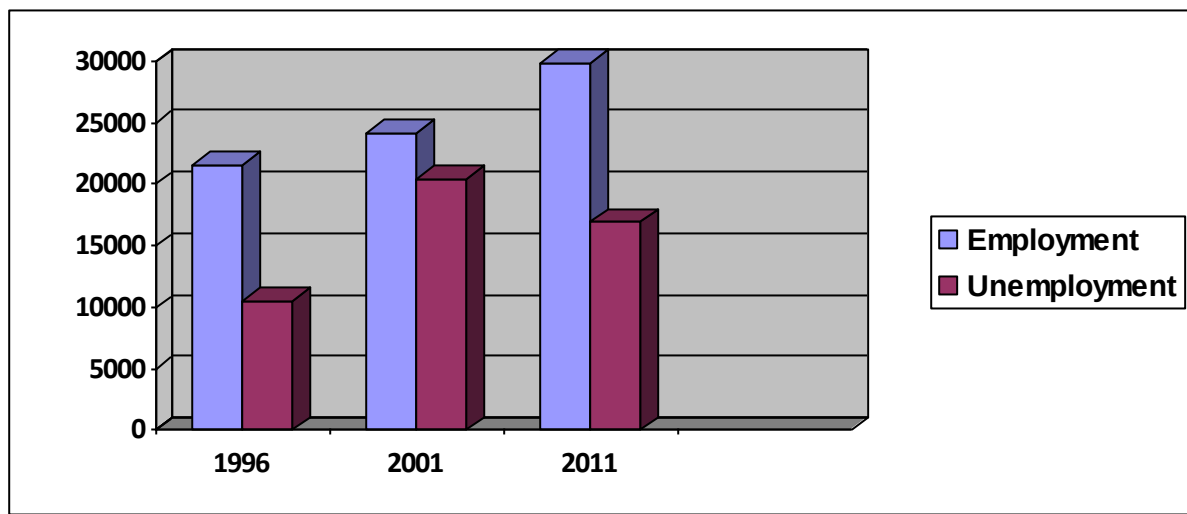
In terms of population per race, Africans accounted for 95.1%, Whites, 3.9%, Coloureds 0.7% and Asians 0.3%. The Youth contributed the largest number of people living in the municipality in 2007. About 75% of the entire population was made up of the youth. The HIV/AIDS pandemic was as high at 33.1% in 2009 and 2010.

With regard to employment figures, unemployment in 2007 stood at 24.5% and rose to 29% in 2010, while the number of employed people was at 11.5%. According to the 2011 Census Report, the unemployment rate stood at 36.2%, translating to the 16 954 unemployed people as compared to 29 888 employed people in 2011. These statistics indicate that unemployment has declined as compared to the previous years, but it is still unacceptably high.

In terms of unemployment per gender, more females were unemployed than their male counterparts. Close to 35% of the female were unemployed and 24.3% of the male population were unemployed. The Millennium Development County Report of

2010 agrees that 'unemployment remains stubbornly high, and a comparison by gender shows that there are still higher levels of employment to population ratio. This is higher for women (43%) than it is for men (36%)'. Graph 7 below shows the figures of employed and unemployed people.

Figure 10: Employed and unemployed in Mkhondo Local Municipality



Source: Adapted from the Census 2011 Municipal Report Mpumalanga.

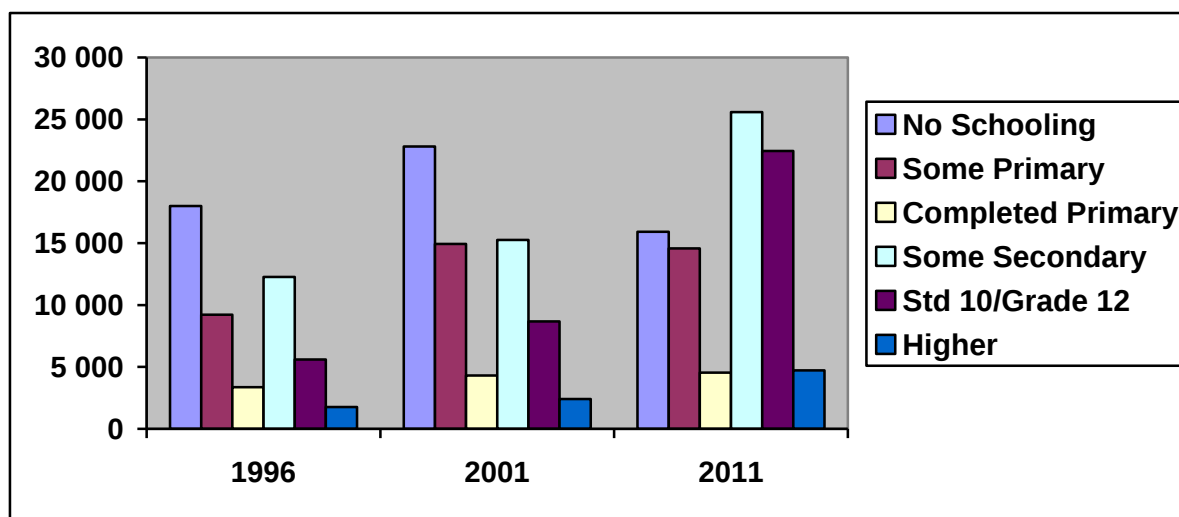
The Agricultural sector has been seen as the largest employer with 28.3%, though it was seen as decreasing because in 2001, it only employed 37.5% of the population. The Community services sector in 2001 employed 13.8% and in 2010 the number stood at 20.5%, marking an increase. The other two sectors (Mining and Trade) between 2001 and 2011 did not show vast employment opportunities (Census, 2011).

Education remains an important component of the country's economy. In this sector, the Municipality has been struggling. For example, in 2007 the number of the population 15+ years with no schooling was at 20.7% and it was 16.1% in 2010 making the municipality the fourth lowest in the Province. On the other hand, for those 15+ years with matric and qualification the figure stood at 18.7% in 2007 and it

increased to 21.6% in 2010 (Census, 2011). These figures paint a negative picture about the municipality's education authorities as this puts the municipality third lowest in the Province and also the lowest in the District.

The chart below will illustrate the distribution of the population aged 20 years and older by the highest level of education for the combined sexes from 1996 to 2011.

Figure 11: Distribution of Population aged 20 years by highest level of education



Source: Adapted from the Census 2011 Municipal Report, Mpumalanga Report

The graph above illustrates an increase and a decrease in the number of people without formal education. In 1996 the number of people without formal education increased by 4 805 and decreased by 6 891 in 2011. This means that between 1996 and 2011 the number of people without formal education increased by 2 086. This is not a good picture for this municipality in its quest to eradicate the scourge of poverty and the rising unemployment rate (Census, 2011: 58).

The number of people who have completed matric has risen to 22 543 in 2011, from 5 596 in 1996. There has been little increase with regard to those who have attained higher education between 1996 and 2011. During this time there were 2 310 people

who attained higher education as compared to 652 between 1996 and 2001 (Ibid.: 58).

With regard to the provision of sanitation, the municipality has not improved much between 2007 and 2010. The provision of sanitation forms part of the basic services that are a Constitutional mandate guaranteed in the South African Constitution, Act 108 of 1996. Kanyane (2010) warns of over dependency by community members on public services to be provided by government.

It is worth noting the fact that in the past the provision of sanitation by the previous regime was skewed in favour of white people or provided services inequitably to South Africans. The white minority had access to better sanitation than the African people. The new era of democracy assisted in redressing the past imbalance hence the adoption of the new Constitution in 1996, by introducing reforms in the new system.

There is an argument that the provision of sanitation is not negotiable as prescribed by the South African Constitution. Sanitation provision in Mkhondo Local Municipality has improved as the percentage of households living informal housing and households living with formal refuse removal has increased. For example, in 2010, 76.6% of the households were living in formal housing compared to 68.5% in 2007. Those with formal refuse removal in 2010 constituted 46.4% compared to 41.3% in 2007 (Mpumalanga Finance Report, 2011). These are promising figures.

There are certain areas that did not show any improvements or changes according to the Presentation of the Mpumalanga Department of Finance (2011: 6). For example, the percentage of households living with hygienic toilets, percentage of households living with piped water at or above RDP level and households with electricity connections showed no increase. The RDP's approach is to ensure that essential service needs are met through vast increases in government subsidies and redistributive tariff system. The house must include sanitation facilities, storm-water

drainage, a household energy supply and convenient access to clean water (Bond, 1998: 45).

There has been an increase with regard to households utilising electricity for lighting, cooking and heating. The number of households utilising electricity for lighting in 2011, was 24 997 compared to 9 595 recorded in 2001. For cooking the figure was 15 458 in 2011 and 4 882 in 2001. Those using electricity for heating the number stood at 12 494 in 2011 as compared to 4 305 in 2001 (Census Report, 2011).

In 2010, the households with hygienic toilets stood at 47.1% compared to 46% in 2007. According to the Census Report of 2011, the municipality has not optimised the delivery of toilets to its people. The Municipality was unable to eradicate the bucket system which was standing at 1 059 in 2001 and at 210 in 2011. The other area of concern is the growing number of households utilising the pit-latrines toilets. For example, in 2001 the number stood at 12 011 and increased to 13 962 in 2011.

The figure of households with piped water at or above the RDP level stood at 63.3% in 2010 as opposed to the 61.8% in 2007. The area that has shown some vast improvement over the years is that of households with piped or tap water in their dwellings. In 2001 the number stood at 10 081 and in 2011 it was 21 927. But there are minute improvements for those households with piped water on communal stand compared to those without access to piped water. Access to such a basic service by these households still remains high (Census Report, 2011: 74).

With regard to households with formal refuse removal services in 2010 the figure stood at 46.4%, while in 2007, the figure was 41.3%. The number of households with own refuse removal systems and those without has increased between 2001 and 2011. In 2001 for example, for those with own refuse removal the figure was 12 461 and it was 17 191 in 2011. For those with refuse removal the figure stood at 6 155 in 2001 and 6 705 in 2011 (Census Report, 2011: 75).

Households without formal housing stood at 7 907 in 2010 while those without hygienic toilets were 17 891 in 2010. Water remains a basic service as enshrined in the Constitution. In the Mkhondo Local Municipality, households living with piped water in 2010 were 12 392, while those living without electricity connections were 9 620. Finally, those households without formal refuse removal were 18 136 (Ibid., 2011).

According to the Mpumalanga Finance Department presentation (2011: 8) Mkhondo Local Municipality in 2010 was regarded as the worst poverty stricken municipality in Mpumalanga Province with a total of 107 192 people living in poverty levels. In percentage terms, this number stood at 70.1% of the total population, adding to the total of 20.3% of the total number of people living in poverty in Gert Sibande District. The provision of services can help relieve some of the most severe burdens of destitution, while over the long term the subsidization of investments in health and education can help provide an exit out of persistent poverty (Burger, 2005: 483).

More than 66.6% of the households in this municipality earned less than R3, 500 per month. In South Africa 75% of the poor live in rural areas; they live in severe conditions. Some managed to migrate to cities to avoid poverty, but this has not yielded results as some of them found themselves in the densification of urban poverty (Swanepoel, 2000: 7).

There are noticeable similarities between the three studied, especially with regard to their economic indicators. For example, the Agricultural sector and Community services have been seen as the largest employer of most households. In 2010, the former sector employed 18.1% people while Community services employed 21.6% people. The Finance sector has also contributed to the employment opportunities in the municipality. For example, its employment accounted for 17.7%.

Despite the deliverable that has been achieved by this municipality much needs to be done. In the Portfolio of Municipalities (2008:295) the municipality has raised the

following urgent skills: engineering, technical, financial and health skills. The municipality faces challenges in these areas in order for it to operate optimally. The 2010/11 Audit Report noted that municipalities are relying on services of consultants due to the lack of necessary technical expertise (Audit Report, 2010/11: 25).

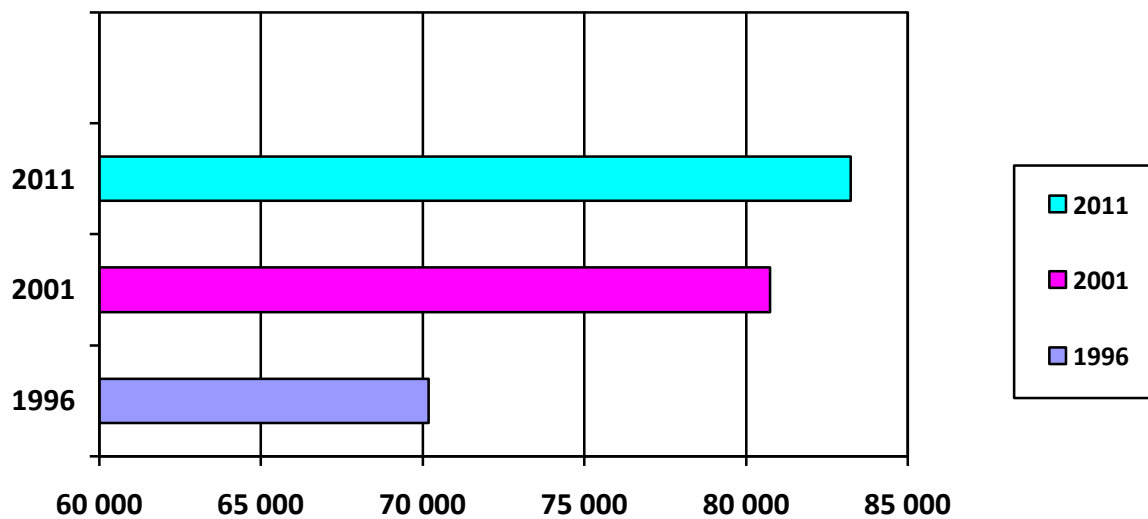
Ankinboade et al (2012:187) aver that the usage of both public and private service providers may be employed. Consumers utilize these services directly and indirectly through the consumption of private sector goods and services containing a community services input component.

5.7 Pixley Ka Isaka Seme Local Municipality

The Pixley ka Isaka Seme Local Municipality shares borders with both Kwa-Zulu Natal and the Free State Provinces. This municipality supports the following towns: Amersfoort, Latemanek, Perderkop, Volkrust and Wakkerstroom. It has a population of 65 928 and contributes 7.4% of Gert Sibande's District Municipality (Mpumalanga Finance Department, 2011: 13; Gaffney's, 2007/8: 841).

According to the 2011 Census Report the population of Pixley Ka Isaka Seme Local Municipality was 68 635 in 1996, 80 736 in 2001 and 83 236 in 2011. These statistics illustrate that the Pixley Ka Isaka Seme has the smallest population as compared to the other two municipalities that are studied. Its population growth rate in 2011 stood at 0.30.

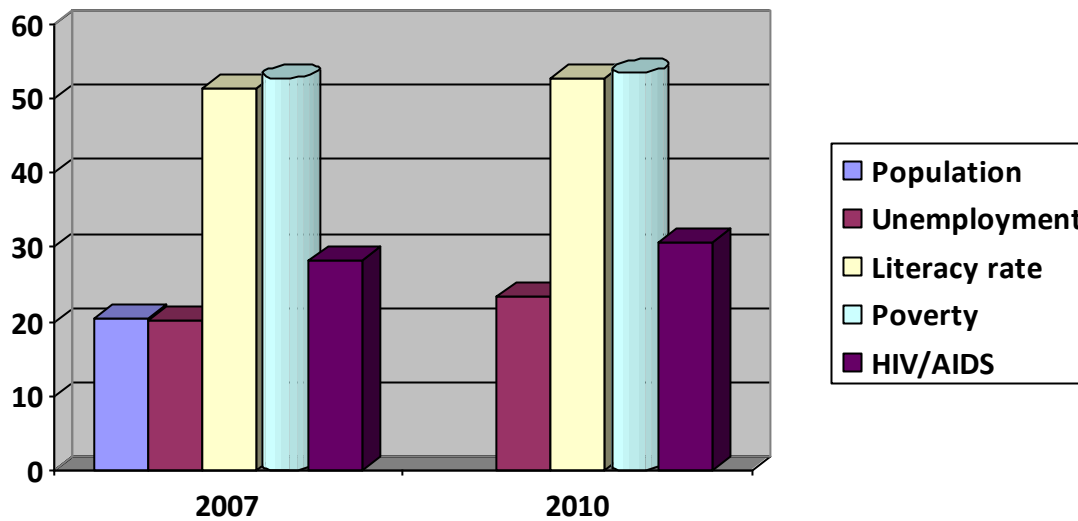
Figure 12: Population Dynamics of Pixley Ka Isaka Seme Local Municipality
2001-2011



Source: Adapted from the Census 2011 Municipal Report Mpumalanga.

The population's dynamics were as follows: Africans constituted about 92.9%, Whites, 4.4%, Coloured, 2% and Asians accounted for 0.7% of the total population. The youth made up a large percentage of the population. For example, those at age 34 stood at 69.5%. The HIV/AIDS pandemic appeared to be a dilemma in this municipality, it was at 30.6% (Finance Department, 2011). The chart below illustrates the economic indicators, literacy rates, HIV/AIDS and poverty rates.

Figure 13: Indicators for Pixley ka Isaka Seme Local Municipality



Source: Adapted from the report presented by the Department Finance Mpumalanga 2011.

The rate of unemployment in the municipality was on the increase, standing at 23.5% in 2010. In terms of gender, more females (27.1%) were unemployed compared to the 20.9% of males. Likewise, in other Local Municipalities studied, Agriculture, Trade and the Community sector have been seen as the dominant employment sectors. In percentage terms, the Agricultural sector employed 18.4%, Community services, 17% and Trade 20.6%.

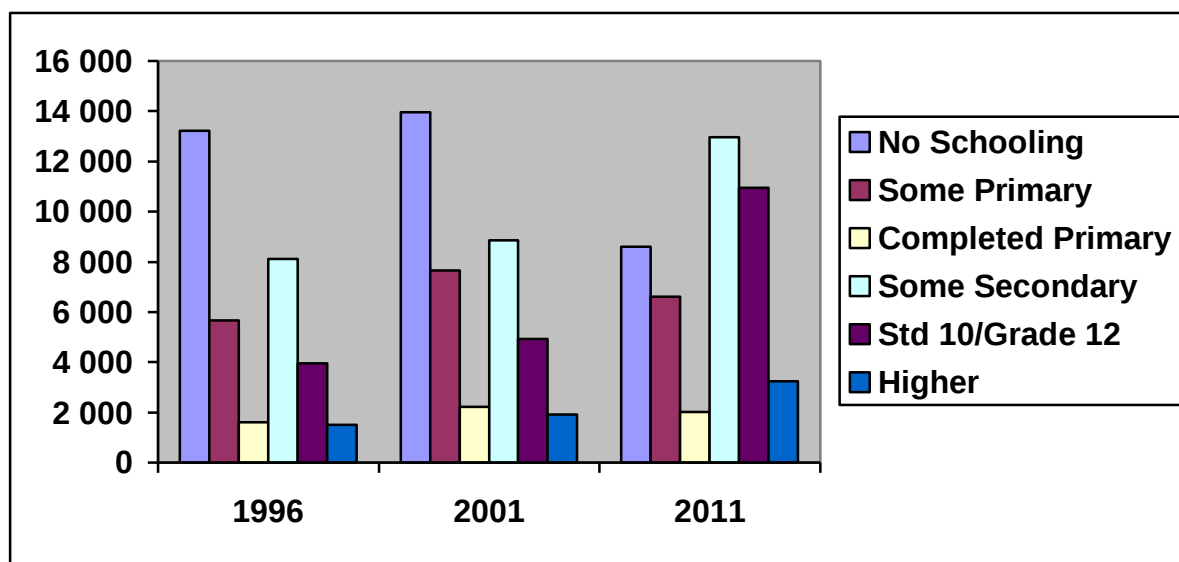
The Census 2011 Municipal Report released the employment and unemployment statistics of the Dr. Pixley Ka Isaka Seme Municipality between 1996 and 2011. The unemployment rate was 36.1% in 2011 compared to 50.7% in 2001. This figure points to a decline in unemployment, though it is unexpectedly high (Census Report, 2011: 68).

With regard to the education indicators, Dr. Pixley Ka Isaka Seme in the year 2010 recorded the second highest percentage (17.5%) of citizens 15+ with no formal schooling. This percentage adds to the 12.2% of the Gert Sibande figures of 87 798.

Those with matric and qualifications stood at 49.8% in 2011. The percentages in matric results have been increasing between 2001 and 2010.

The chart below illustrates the distribution of the population aged 20 years and older by the highest level of education attained by both sexes.

Figure 14: Distribution of Population aged 20 years by highest level of education



Source: Adapted from the Census 2011 Municipal Report Mpumalanga.

The chart above illustrates a decline in the number of people without formal education. Between 1996 and 2001, there was an increase of the population without formal education from 13 211 to 13 954. The number declined in 2011 to 8 591. There has been a slight decline of the population that has primary schooling from 7 664 in 2001 to 6 604 in 2011 (Census, 2011: 58).

The number of people that have completed primary school changed to a lesser extent, whilst those with secondary education and grade 12 have shown some improvements. For those with higher education, the number increased from 1 494 in 1996 to 3 230 in 2011 (Ibid.: 58). The result meant that about 1 314 people have

managed to acquire higher education in 10 years. Clearly this is not a good picture for a municipality with a population of 80 236 as per the population distribution per age and sex (Census, 2011: 35).

With regard to the provision of sanitation the trends have not changed much, more especially with regard to the households with piped water at or above RDP level as well as households with electricity connections. If this situation is not addressed at full speed, the Millennium Development Goals (MDG's) targets set by the Government to provide access to clean and decent sanitation will be insurmountable for this municipality to reach (Portfolio of Municipalities, 2008: 287).

According to the 2011 Census Report the Dr. Pixley Ka Isaka Seme Municipality in Gert Sibande District is the only local municipality that does not have people without access to tap water (Census Report, 2011). In 2010, the households with electricity connections were 82.6%, a minor improvement compared to the 81.1% in 2007. On the other hand, for those households with hygienic toilets the number has dwindled from 66.7% in 2007 to 67.3% in 2010. This figure ranked the municipality 9th (not doing well) out of 18 local municipalities in the province.

The backlog of households without formal housing was 3 808 in 2010 and 7 860 for households without hygienic toilets. The highest recorded backlog was for households with formal refuse removal. The backlog stood at 10 112 making it the highest backlog with regard to the provision of basic services.

On the poverty side, the municipality has the highest poverty rate in the entire District of Gert Sibande. From 2001 to 2010, the rate of poverty stood at above 50%, ranking the municipality second from the bottom of all municipalities in this district affected by poverty. More than 51.4% of the households earned below R42 000 per annum compared to 59.5% in 2007. Out of the 65 928 people living in this municipality 51 968 people were regarded as poor (Mpumalanga Finance Report, 2011).

The three sectors: Agriculture, Trade and Community services have been seen as the largest employer of people in this municipality. The Agricultural sector alone between 2001 and 2010 contributed 17% of the employed people while Trade was above the 16% and lastly Community services hovered above 20% (Ibid, 2011).

5.8 Similarities and differences

It has been mentioned earlier in this chapter that the Gert Sibande District is a rural municipality surrounded by farms and small towns. According to the White Paper on Local Government, rural municipalities will be allocated a minimum of executive and legislative powers, but as their administrative and financial capacity improves, they will be able to 'draw down' powers of the district government.

The White Paper acknowledges that not all rural municipalities will be able to assume the full range of municipal powers and functions, and that's where the establishment of Category (B) municipalities is unviable. The district government may assume direct responsibility for the delivery of all municipal functions in the area. The major towns are: Ermelo, Secunda, Mkhondo, Bethal and Volksrust. The next part will provide an analysis of their similarities.

5.9 Similarities

There are similarities among the three local municipalities with regard to the unemployment rates in terms of the distribution of the population aged between 15 and 64 years in 2011. The rate of unemployment in Mkhondo and Pixley Ka Isaka Seme local municipalities was 36%, whilst Msukaligwa recorded 26% (Census, 2011: 73).

There has been an increase of electricity usage for lighting in the three municipalities between 1996 and 2011. Mkhondo local municipality recorded a sharp increase in terms of electricity usage from 6 848 in 1996 to 24 997 in 2011. In Msukaligwa the

number of households using electricity for heating doubled from 15 741 in 2001 to 30 561 in 2011. For Pixley Ka Isaka Seme, there was a slight increase from 12 050 in 2001 to 16 907 in 2011 (Ibid.: 73).

The number of households utilising electricity for cooking also increased. For example, in the three municipalities all households utilising electricity for cooking were above 10 thousand. With regard to households using electricity for heating, the three municipalities recorded an increase from 4 thousand in 2001 to 17 thousand in 2011 (Ibid.: 73). This was a significant improvement.

The three municipalities recorded an increase with regard to the number of child headed households. The number was in the ratio of 100 in 1996 and increased to 200 in the 2011. Only Mkhondo came close to 400 in 2011 (Census, 2011: 79).

The next section looks at the differences among the three municipalities.

5.10 Differences

According to the Census Report of 2011, Msukaligwa recorded the highest household income as compared to Mkhondo and Pixley Ka Isaka Seme Local Municipalities. This might be due to the following reasons: the district of the Municipality is based in Ermelo, Msukaligwa Local Municipality as well as mining activities that take place there, which assist in the employment in the region. In 2011, there were 82 267 households as compared to 53 398 in Mkhondo and 64 990 at Pixely Ka Isaka Seme (Census, 2011: 77).

Msukaligwa has the highest number of households as compared to the other two municipalities. In 2011, there were 40 932 households, while Mkhondo had 37 433 households. Pixely Ka Isaka Seme is the only municipality that has the slight number of households; in 2011 there were 19 838 and 18 002 in 1996. The population of Mkhondo is made up of young people. For example, the large number of people is

made up of people between the ages 0-24 years, followed by Msukaligwa. The only concern is with Pixley Ka Isaka Seme, wherein its largest population is made up of people aged 0-4 years (Census, 2011: 27-29 and 79).

Mkhondo had a large number of households using pit latrines and has a large number of households without toilets than Msukaligwa and Pixley Ka Isaka Seme. In 2011, about 4 823 did not have toilets as compared to 1 987 in Msukaligwa and 907 in Pixley Ka Isaka Seme (Census, 2011: 76).

Msukaligwa had a large number of households utilising buckets as compared to the other two municipalities. In 2001 it had 794 and in 2011 the figure was 457. Pixley Ka Isaka Seme showed some improvements. In 2001, the number was 828 and declined to 109 in 2011 (Census, 2011: 76). Msukaligwa also recorded a large number of households utilising flush/chemical toilets since 1996 to 2011. In 2011, it was 30 143 and 15 320 in 1996. Pixley Ka Isaka Seme had 13 048 in 2011 whilst in the same year, Mkhondo's figure stood at 16 621 (*Ibid.*: 76).

There has been an increase in the number of households with tap water in a yard or dwelling in the three municipalities from 1996 till 2011. Msukaligwa had the highest households provided with piped water in 2011 at 31 955. In 1996, there were 16 930 households. Pixley ka Isaka Seme has had an increase in the number of households with piped water. For example, in 1996 there were 8 842 and the figure doubled to 16 737 in 2011. For Mkhondo, in 1996 it was 7 096 and 21 927 in 2011 (Census, 2011: 74).

Mkhondo had the large number of households with no access to piped water in 2011; it was 8 039 and in Msukaligwa the figure was 3 841. Pixley ka Isaka Seme recorded a zero percent of people without access to piped water in 2011. In 2001, the number was 3 151 (Census, 2011: 74).

5.11 Legislations governing municipalities in South Africa

The legislative requirements affecting local governance are primarily contained in the Constitution as well as the following legislation:

- Intergovernmental Relations Framework Act (No 13 of 2005)
- Local Government Municipal Demarcation Act, 1998 (Act No 27 of 1998)
- Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998)
- Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000)
- Disaster Management Act, 2002 (Act No 57 of 2002)
- Local Government Municipal Finance Management Act, 2003 (Act 56 of 2003)
- Local Government Municipal Property Rates Act, 2004 (Act 6 of 2004).

For the purpose of this chapter, attention will be given to only three Legislations.

5.11.1 Municipal Structures Act, No. 117 of 1998

The Local Government Municipal Structures Act, No. 117 of 1998 provides for the establishment of a new generation of municipalities and essentially lays the foundation for a new system of local government in South Africa. This Act, divides the powers and functions between the categories of municipalities and regulates matters connected with local government its systems and structures. This Act deals extensively with the Municipal Council and provides for issues such as the election, removal from office of councillors, and the internal proceedings in and the dissolution of the Council (SALGA, 2011: 4).

Chapter 3 of the Municipal Structures Act, No. 117 of 1998 deals with the structures of municipalities. Section 18 subsections 1-3 of this Act notes that, each municipality must have a municipal council; a municipal council must meet at least quarterly; and

a municipal council consists of a number of councillors determined by the MEC for local government in the province concerned by notice in the Provincial Gazette (Municipal Structures Act).

Section 55 of the Municipal Structures Amendment Act, deals with the election of an Executive Mayor of a municipality. Subsection 1 of the Structures Act, states that;

- If a municipal council chooses to have an executive mayor it must elect an executive mayor and, if the MEC for local government in the province so approves, also an executive deputy mayor can be chosen from among its members at a meeting that must be held-
 - (a) within 14 days [of] after the council's election; [or]
 - (b) if it is a district council, within 14 days after the last of the local councils has appointed its representatives to the district council; or
 - (c) within 14 days after the date with effect from which the type of the municipality has been changed from any of those mentioned in section 8(a), (b), (c) or (d), 9(a), (b), (e) or (f) or 10(a) or (c) to any of those mentioned in section 8(e), (f), (g) or (h), 9(c) or (d) or 10(b).

5.11.2 Municipal Systems Act, 32 of 2000

The Municipal Systems Act, No. 32 of 2000 (“the Systems Act”) defines the legal nature of a municipality and provides for the manner in which municipal powers and functions are exercised and performed. In addition, the Systems Act provides the framework for local public administration.

5.11.3 Municipal Finance Management Act, No. 56 of 2003

The Municipal Finance Management Act, 56 of 2003 (MFMA) is intended to ensure sound and sustainable financial management in municipalities and deepens the budgetary process in municipalities by making community involvement compulsory. The MFMA was phased in from the 1st of July 2004. One of the most important objectives of the MFMA is that of developing sound financial governance within every

municipality. This means developing a comprehensive system, clarifying and separating the responsibilities of mayors, councillors and officials.

Section 166 of the Municipal Finance Management Act requires every municipality to have an audit committee which must serve the purpose of being an independent advisory body to the council, political office bearers, the municipal manager in his role as accounting officer and a head of administration for the management of staff (Makana Local Municipality).

The MFMA further lays down the foundation for reforming municipal financial management. It also spells out regulations dealing with: supply chain management, public private partnerships, minimum competency requirements of municipal finance officials, and asset transfers to ensure that they are in place. Equally important is that each reform aims to build on the foundation laid by previous initiatives, taking into account the time needed for municipal systems and practices to change (National Treasury).

5.12 Core structures of municipalities

Municipalities are organs of state that consist of the political structures and administration of the municipality and the community within (residents inhabiting) the municipal area (SALGA, 2011: 5). It is worth noting that the Constitution of South Africa not only confers on a municipality the right to govern the affairs of the community within the municipal area, but also empowers the Municipal Council to make decisions concerning the exercise of all the powers and the performance of all the functions of the municipality.

The Municipal Council is the principal political structure and the ultimate decision maker of the Municipality. This structure is a body comprising of elected members of local government elections. After election, a municipal council is constituted and its

members are expected to act collectively by ensuring that its programmes are implemented in the betterment of the needs of community members at grass-root level. SALGA (2011: 6) concurs with this statement, it states that a municipal council is a body consisting of directly or indirectly elected councillors/members. A municipal council is thus one of the political structures of a municipality with several office bearers. These are enumerated and discussed below.

5.12.1 Executive Mayor

The Executive Mayor is a political head of a municipality. He/she is entrusted with the responsibility to ensure that the mandate of his/her political party is delivered within the confines of his/her term of office and without compromising the delivery of basic services to community members. Chapter 4, of the Municipal Structure Act, No. 117 of 1998 grants the Executive Mayor the powers and functions of a municipality.

The powers of the executive mayor are similar to those of the executive committee in a municipality which has a system of governance which includes an executive committee. An executive mayor receives reports from committees of the municipal council and forwards the reports together with a recommendation to the council when the matter cannot be disposed of by the executive mayor's delegated powers (Constitution of South Africa, 1996 and Makana Local Municipality).

However, the MFMA clearly separates roles and responsibilities between the Executive Mayor and Council, and between the Executive Mayor and the Municipal Manager and other senior officials. This Act creates a clear line of authority between the Council, which must approve Council policy; the Mayor, who must provide political leadership; and the Municipal Manager, who is accountable to the Mayor and Council for implementing those policies (Pixley Ka Isaka Seme, 2014/15-2016/17).

The MFMA is required by the Constitution, which obliges all three spheres of government to be transparent about their financial affairs. It also forms an integral

part of the broader reform package for local government, as outlined in the 1998 White Paper on Local Government (National Treasury, 2013).

This is partly linked to the fact that the MFMA aims to modernise budget, accounting and financial management practices by placing local government finances on a sustainable footing in order to maximise the capacity of municipalities to deliver services to communities. This is done to put in place a sound financial governance framework by clarifying and separating the roles and responsibilities of the council, mayor and officials.

One should note that the Executive Mayor is not only the political leader of the Municipality but also serves as the:

- Enhancer of good governance;
- Builder of external and media relations;
- Promoter of civic and institutional pride;
- Supporter and engager with the community; and
- Facilitator of the process of governing.

Other than the above mentioned functions, the executive mayor has a responsibility to ensure that the following duties are performed:

- The municipality is competent to legislate on the matter.
- A proposed by-law is consistent with national or provincial legislation, if any.
- The proposed by-law does not conflict with the Bill of Rights or any other provision of the Constitution.
- The proposed bylaw complies with all the legal requirements for a by-law.

- The proposed bylaw is prepared and available in all the official languages determined by the council in its language policy (SALGA, 2011: 28)

The executive mayor presides at executive committee meetings. This implies that she/he should be involved in the preparation of the agenda that is circulated to executive committee members prior to any meeting. Items for the agenda originate from various sources in the municipality, e.g. the administration, portfolio committees, motions submitted by councillors and written questions submitted by councillors (SALGA, 2011: 28).

The executive mayor must ensure that the different reports that must be submitted to the executive committee are complete, are arranged in logical order in the agenda and are submitted in time for inclusion in the agenda. The executive mayor does not work in isolation, but works with the team comprised of the municipal council.

In consultation with the Speaker and the committee services section of the municipality, the executive mayor should ensure that there are adequate facilities and resources for keeping minutes of executive committee meetings and other activities involving the executive committee, such as public meetings and public hearings. Furthermore, the executive mayor has a crucial task to work closely with the committee services section to ensure that minutes are of high quality, correct and accessible for councillors, employees and the public(Ibid.: 28).

5.12.2 Councillors

Councillors also serve as members of committees within Council. These committees are usually charged with the development of new policies. Committees include the Executive Committee, which decides what policies and proposals are put before Council to be discussed and subsequently enacted as municipal policy (Paradza, 2010: 12).

The councillors are the intermediaries between the municipality and the residents. Ward councillors are elected to positions of power like the executive mayor in an election. In order to perform their roles, these councillors have to interact with both residents and municipal officials, since they provide the critical link between the municipality and the community and have an important policy setting and oversight roles. This relates to budgets and budget related policies, IDP, tariff setting for services, indigent policies, credit control policies and long-term borrowing policies. In addition, they also set the parameters to guide municipal services, set strategic objectives and priorities, stating what outcomes and outputs are to be achieved, and monitor the implementation of the policies and priorities (IDP of Pixley ka Isaka Seme, 2014/15-2016/17; Paradza, 2010: 43).

The work of councillors is guided by the framework set out in the White Paper on Local Government (1998) that proposes a developmental model of local government (Paradza et al.: 2010: 11). In it, a councillor is expected to perform the functions of office in good faith, honestly and a transparent manner and at all times act in the best interest of the municipality and in such a way that the credibility and integrity of the municipality are not compromised.

Councillors serve as the interface between the citizens they represent and the municipal officials who design and implement development policies. The councillors' job is not just to serve as the voice of the people, for the expression of their community needs, but also to act as a watchdog and ensure that the municipality implements policies to address the needs of citizens (Paradza, 2010: 11).

It is crucial to note that the municipal councillor is accountable to the Municipal Council. It has been noted in the previous chapter that there are two types of Councillors, the PR Councillor and the Ward Councillor. The ward councillor is a chairperson of a ward committee, reports to the Municipal Council and is accountable to Council and the residents of the ward (Stellenbosch Municipality).

Councillors have an important oversight and policy setting role, and a wide range of responsibilities that include community leadership, representing citizens, and making decisions about the provision of services for the betterment of communities. Collectively, councillors are responsible for decisions that affect the lives and livelihoods of individuals, organisations and businesses (Public Sector Audit Committee Forum, 2013: 2).

The oversight role of Councillors through Council (or Committee) meetings has been expanded by the MFMA and other legislation. Their oversight responsibilities imply that they cannot play an operational role, as this would interfere with the role of the Municipal Manager and weaken the performance and accountability of officials. It is important for Councillors to understand their roles and responsibilities to ensure effective performance management by officials (IDP Pixley Ka Isaka Seme, 2014/15-2016/17).

5.12.3 The Municipal Speaker

A speaker is a councillor elected in terms of section 36 of the Municipal Structure Act to be the chairperson of a municipal council as envisaged in section 160 (1)(b) of the Constitution. The speaker's role in a municipality will mostly depend on the internal arrangements made by the municipality itself. The formulation of the terms of reference for the speaker in terms of section 53 of the Systems Act is of critical importance (SALGA, 2011: 16).

A speaker of a municipality plays an important role in the running of the political functions of any municipality. The Municipal Structures Act requires each municipal council to have a chairperson elected and be called the speaker. At its first sitting after its election, or when necessary to fill a vacancy a municipal council must elect its speaker from among the councillors.

The functions of the Speaker as per the Municipal Structures Act, 117 of 1998 are as follows:

- To preside over Municipal Council meetings so that its business can be carried out efficiently and effectively;
- To provide information and recommendations to the Municipal Council with respect to the role of Council;
- To carry out the duties of Chairperson of the Municipal Council under the Structures Act, Systems Act, the Municipality's Rules of Order, common law and tradition;
- To enforce the Code of Conduct; and
- To exercise delegated authority (Stellenbosch Municipality; SALGA, 2011: 17).

Since the speaker is required by the Act, to preside at meetings of the council and performs the duties and exercises the powers delegated to the speaker in terms of section 32, he/she has to:

- Ensure that the council meets at least quarterly: must maintain order during meetings
- Ensure compliance in the council and council committees with the Code of Conduct set out in Schedule 5, and
- Ensure that council meetings are conducted in accordance with the rules and orders of the council.

Clapper quoted in Wessels et al. (2014:9) stresses that the code of conduct in the public sector is a mechanism employed to inform and guide the morality and discretion of the public official. Ideally codes are written, enforceable standards of conduct that do not undermine but instruct, support, and direct the competence, morality, and judgement of public officials in the performance of their duties.

5.12.4 Municipal Council

The Municipal Council acts as a decision making body of a municipality and has a duty to advise the Municipal Manger in the running of municipal finances. This is due to the fact that both structures need each other for running the municipal affairs effectively. However, it is not always the case with other struggling municipalities due to the contending political disagreements on the ground. A municipal council is required by law to develop mechanisms to consult the community and community organisations in exercising and performing its powers and functions (Stellenbosch Municipality; SALGA, 2011: 14).

Indeed, the primary role of the municipal council is that of the political oversight of the municipality's functions, programmes and the management of the administration. All of the powers of local government are vested in the municipal council. The Council has the power to make by-laws (legislative authority) and the powers to put those laws into effect (executive authority). Further, the municipal council has an executive and legislative authority over the matters set out in Part B of schedule 4 and Schedule 5 of the Constitution (Makana Local Municipality).

To ensure effective, smooth running of municipal affairs, a municipal council must conduct its business in an open manner and may close its sittings, or authorise its committees to close their sittings only when it is reasonable and justifiable to do so in an open and democratic society and having regard to the nature of the business which is conducted. Furthermore, a municipal Council may make by-laws prescribing roles and orders for its internal arrangements, its business and proceedings; and the establishment, composition, procedures, powers and functions of its committees (Municipal Structures Act, 1998).

The MFMA recognises the municipal council as the highest authority in the municipality and strengthens the powers of the council by vesting it with significant powers of approval and oversight (SALGA, 2011: 14).

There are two types of committees that operate within a municipality. They are Section 79 and Section 80 Committees. These committees are established through Section 33 of the Local Government Act, then the Municipal Structures Act sets out certain criteria for the establishment of committees. It is crucial to note that Section 80 committees are chaired by members of the Mayoral Committee, to assist the Executive Mayor in the exercise and performance of his/her powers and duties. These committees account to the Executive Mayor.

On the other hand, Section 79 committees submit their reports to the Executive Mayor for consideration in terms of delegated power or transmission to the Municipal Council. These committees account to the Municipal Council (Stellenbosch Municipality; Makana Local Municipality; Paradza et al., 2010: 11).

Paradza et al. (2010: 12) state that while these committees are important in the running of a municipality, municipalities are not obliged to establish Section 79 Committees and the general trend is for municipalities to establish Section 80 Committees rather than Section 79 Committees. Below is a table illustrating the tasks to be carried out by these committees.

Table 3: Section 79 and 80 Committees

Section 79 Committees	Section 80 Committees
Council determines functions and may delegate powers and duties	Executive Mayor delegates powers and duties
Council appoints chairperson	Chairperson appointed by Mayor
Committee may co-opt non-councillors	Committee comprises only councillors
Committee plays an oversight role for the effective performance of functions of Council	Committee is established to assist the Mayor only

Source: adapted from Paradza et al; (2010: 12)

These committees are the principal committees of the council of the municipality and as such they receive reports from the other committees of the council. The Executive Committee considers these reports and disposes the same, which the committee is authorised to do in terms of its delegated powers and forwards the remainder of the reports together with its recommendations to the municipal council for decision (SALGA, 2011: 23).

The Municipal Council further performs the following functions:

- Exercises the municipality's executive and legislative authority and use the resources of the municipality in the best interests of the community;
- Provides, without favour or prejudice, democratic and accountable government;
- Encourages the involvement of the community;
- Strives to ensure that municipal services are provided to the community in a financially and environmentally sustainable manner;
- Consults the community about the level, quality, range and impact of municipal services and the available options for service delivery;
- Gives members of the community equitable access to the municipal services to which they are entitled;
- Promotes and undertake development in the municipality;
- Promotes gender equity in the exercise of the municipality's executive and legislative authority;
- Promotes a safe and healthy environment in the municipality; and
- Contributes, together with other organs of state, to the progressive realisation of the fundamental rights contained in sections 24, 25, 26, 27 and 29 of the Constitution (SALGA, 2011:13-14).

On the issue of the promotion of gender equity, GOGTA (2009:31) warns that gender equity in senior positions is very poor. For example, in the Western Cape, out of 30

MM posts, only one has been filled by a woman in the Bergrivier Local Municipality. Nationwide only 9% of Municipal Managers are women. This is concerning.

5.12.5 Municipal Manager

The position of a municipal manager is a key position in any municipality. It is not merely seen as a personnel appointment as contemplated in section 160 (1) (d) of the Constitution, as his/her responsibilities are derived from his position as Head of Administration and Accounting Officer for the municipality. This individual is appointed by and accountable to the council for the performance of the functions entrusted to him/her in terms of the statute, law and their contractual arrangement (Constitution of South Africa).

As an accounting officer, the Municipal Manager is responsible for general management of municipal finances, including: asset and liability management, revenue and expenditure management and budget implementation. In this role as the accounting officer, he must also assist the mayor in performing the budgetary functions assigned to the mayor in terms Chapters 4 and 7; and provide the mayor with the administrative support (Makana Local Municipality).

The Municipal Manager must be allowed to perform these functions without any interference and with reasonable support. The council, on the other hand, must consider whether the Municipal Manager's performance meets the required expectations. The Municipal Manager is accountable to the council, but reports to the Executive Mayor (Stellenbosch Municipality; De Visser, 2001:1).

De Visser (2001: 1) notes that the Municipal Manager does not work in isolation to determine the functionality of a municipality, but together with the municipal council ensure that the finances of a municipality are in a healthy state. Under any normal circumstance, the most critical player in shaping the role and responsibility of the

Municipal Manager is the council itself. As the employer, the council determines what it expects of a Municipal Manager.

The Municipal Manager has a direct responsibility to take initiative and play a leading role, subject to policy directions of the council. This requires that a municipality organises its administration in a manner that enables it to hold the municipal manager accountable for the overall performance of the municipality. Failure to address these, the following should happen:

- The council must have the tools to hold the Municipal Manager accountable, i.e. to demand explanation and to review his or her performance; and
- The Municipal Manager must have the tools to answer to that accountability: the administration must be managed so that the Municipal Manager can account for the performance of the entire administration (SALGA, 2011: 8; De Visser, 2001: 2)

A Municipal Manager forms part of the drafting of the IDP; preparation of the municipal annual report and ensures that relevant information regarding public participation is communicated at local level. Section 30 of the Municipal Systems Act, clearly identifies the two primary actors in the IDP management. The executive mayor/committee or the IDP committee is under a legal duty to manage the IDP process. The duties can only be assigned to the Municipal Manager. The Municipal Manager acts within the scope of these assignments. The initiative lies with the executive committee/mayor or IDP committee, which decides which responsibilities are to be delegated to the municipal manager (De Visser, 2001: 6-9; Municipal System Act).

According to De Visser (2001: 10-12) a Municipal Manager is further responsible, subject to the policy direction of the council, for the management of the administration in accordance with the Systems Act and other applicable legislation (s55(1)(b)). The following are those responsibilities:

- The Municipal Manager is the appeal authority and must deal with the appeal if it is lodged against a decision taken by a staff member other than the Municipal Manager him or herself.
- The Municipal Manager is responsible for the provision of services to the local community in a sustainable and equitable manner and must develop and maintain a system to assess the satisfaction of the community with the municipal services (s 55(1) (d) and (o)).
- The Municipal Manager is responsible, subject to the policy direction of the council, for the management of the administration in accordance with the Systems Act and other applicable legislation (s 55(1) (b)).
- The Municipal Manager deals with staff matters, such as appointment of staff (s 55(1)(e), (evaluation and review of) staff establishment (s 66(1)(a) and (d)), job descriptions (s 66(1)(b)), remuneration (s 66(1)(c), staff discipline (s 55(1)(g)), training (s 55(1)(f)), labour relations (s 55(1)(h)).
- As accounting officer, the Municipal Manager is responsible for all income and expenditure, all assets and discharge of liabilities of the municipality and the compliance with the municipal finance management legislation.
- The council must appoint the managers, referred to above. The council must first consult the Municipal Manager (s 56), who eventually enters into performance contracts with the managers accountable to him or her (s 57).
- The Municipal Manager must ensure that each staff member receives a copy of the Code of Conduct for staff members and that the Code of Conduct is explained to staff members who cannot read (s 70).

5.13 Challenges facing Municipal Managers

A great number of municipalities in South Africa are faced with many challenges. Some of those challenges do not relate only to the financial management of the municipal affairs but the political climate which is at times not favourable for nonpartisan Municipal Managers. In most cases, Municipal Managers are blamed for the collapse of municipalities without looking at the big picture.

COGTA (2009: 32) reported that there are numerous incidents reported of irregular or un-procedural suspensions, dismissals and similar activities. Conversely, there must also be procedural mechanisms to remove those that need to be removed for non-performance or other irregularities, such as those suspended in North West province. It was reported that amongst others, the municipal managers of eight Western Cape municipalities were suspended, three in Mpumalanga and two in Limpopo.

Whether a Municipal Manager has the capacity to run municipal affairs there is no straightforward assessment to make. At times it is too difficult for them (Municipal Managers) to run the financial affairs of indigent and rural municipalities that are not generating any form of income for survival. This poses a serious challenge in the provision of basic services. Affected community members on the other hand expect their municipalities to continuously deliver those services despite the absence of mechanisms for the generation of taxes the result of which in most cases is poor service delivery which in turn leads to protest for services.

At the 6th National Municipal Managers forum that was organised by SALGA from 22 to 23 August 2013, at the Moses Mabhida Stadium, the following challenges and solutions were raised by Municipal Managers as part of those that hamper their performance to ensure that service delivery is not hampered. Below is a table indicating those challenges and solutions.

Table 4: Challenges and proposed solutions to effect service delivery

TOP CHALLENGES	PROPOSED SOLUTIONS
1) POLITICAL	
1.1. Political instability	Define clear roles and responsibilities for MM's and political office bearers
1.2. Micro Management of Local Government and Local Government not being taken seriously	Recognition of local government as a sphere in its own right between administration and Politicians
1.3. No recognition of LG as equal partners e.g. dumping ground for unfunded mandates, minimum competency, constitutional compliance	SALGA to actively participate in NCOP to represent MM's
1.4. Weak political leadership	Define criteria for political deployment
1.5. Dysfunctional interface between political and administrative leaders	Inter-municipal body to play oversight role to ensure compliance to code of conduct
2) FINANCIAL	
2.1. Financial Constraints	- Ensure adequate allocation of resources informed by integrated planning - Review powers and functions to increase municipal income base
2.2. Maintaining financial viability	Develop proper financial management and revenue enhancement strategy
2.3. Inadequate support from National Treasury	Establishment of a help desk / rapid response unit at National Treasury
2.4. Conditional grants offsetting against Equitable Share	Off-set against same allocation
2.5. Weak and differentiated tax base of LM's combined with weak revenue collection mechanisms	Review funding model for LG
2.6. Funding formula (equitable share, grants)	Engage Cabinet to ensure that other variables are taken into consideration
2.7. Only 8% of national budget spent on local government	Fiscal model to be changed to increase revenue for LG
2.8. Revenue collections viz property rates (Farmers vs. SARS Loss of revenue from pre-paid)	- SARS to serve as collecting agency for property rates from farmers - ESKOM allow municipality to collect revenue in areas serviced by ESKOM
2.9. Insufficient funding	Revolutionise funding mechanisms from National Treasury
3) POVERTY, INEQUALITY & INFRASTRUCTURAL BACKLOGS	
3.1. Infrastructure and service delivery backlogs	- Optimal usage of integrated planning mechanism - Set realistic targets - Create enabling environment for economic development, investment attraction and retention - Develop a credible LED strategy to address poverty and inequality - Review funding model from National treasury
3.2. Rising Expectations	Increase municipal capacity to deliver services
3.3. Managing expectations of community: failure to deliver will lead to community delivery protests	Communication, public education by all spheres on roles & responsibilities, competencies of municipalities Drive to change community ethics & values towards active citizenry

3.4. Service delivery model & related fiscal models – national, regional, district, local	Need a review of service delivery model recognise local government as face of government & service delivery Give support to address poverty & inequality
3.5. Ageing infrastructure	Facilitate a once off funding from government for municipalities to revitalise ageing infrastructure Develop asset management strategy
3.6. Lack of integration	Drive Integrated planning
4) SUPPORT SYSTEMS AND HUMAN RESOURCES	
4.1. Fragmented systems across local government	Development of systems in a uniform way for all municipalities
4.2. Weak business processes	Ensure integrated governmental systems (vertical and horizontal)
4.3. Skills attraction and human resource constraints	Incentive allowance packages Develop and implement recruitment and
TOP CHALLENGES	PROPOSED SOLUTIONS
5) LEGISLATIVE AND POLICY ENVIRONMENT	
5.1. Over regulation and circulation	Enhance capacity of LG to manage its own affairs – Section 154 – “nothing about us, without us” Review powers and functions Implement professionalization of municipal administration Lobby for relevant changes on legislation and policies that have negative implications to service delivery
5.2. Inconsistency in AG's approach to auditing	Review the uniform standard approach to auditing
5.3. Too much emphasis on compliance and associated costs	National government to find more creative and innovative solutions
5.4. Ambiguous legislation	Clarification of legislation
5.5. Lack of bargaining power & MM platform due to the lack of MM's position	MM institute to be the voice for MMs
6) MUNICIPAL DEMARCATIONS	
6.1. Spatial and economic disintegration through negative demarcation practices	Configuration of boundaries to take account of economic sustainability Conduct research on the negatively affected municipalities and find solutions to address negative impact
7) NEGATIVE LOCAL GOVERNMENT IMAGE AND PUBLIC PERCEPTIONS	
Negative Public Perceptions	Effective and real time communication Decentralise services to districts Professionalization of the sector and retention of skills to meet public expectations

Source: adapted from the Report of the 6th National Municipal Managers Forum Moses Mabhida Stadium, Durban, 22-23 August 2013.

5.14 Whip of Council

The Office of the Whip of Council was introduced by the Notice on the Upper Limits on Councillor Remuneration in 2006. The Whip of Council is not an Office Bearer in terms of the Systems Act. So, the Council is not legally obliged to adopt a term of reference for the Whip. It is, however, advisable to commit to a clear definition of the role of the Whip in relation to that of the Speaker (SALGA, 2011).

The office of the Chief Whip resides within the Legislative arm of the municipal council. The Chief Whip of the municipal council is traditionally the chief whip of the majority party responsible for the smooth functioning of the majority party in council and serves as a representative of the Regional Secretary of the Majority Party (Mbombela Local Municipality).

In a Commonwealth system, Chief Whips play a pivotal role in the working of parliaments. They are important office bearers of the party in parliament. They maintain party discipline within the legislature. They ensure the successful processing of government business in the Legislature. They work with the Government Chief Whip (What we call the leader of government business or leader of the House). They keep party leaders informed of the currents of opinion within the party caucus.

SALGA (2011) warns that there are no statutory functions for the Whip of Council because the Council may delegate the following functions to the Whip:

- Political management of council meetings and committee meetings.
- Informing councillors of meetings called by the Speaker and the Mayor and ensuring that such meetings quorate.
- Advising the Speaker and Mayor on the Council agenda.
- Informing councillors on important matters on the relevant agenda.

- Advising the Speaker on the amount of time to be allocated to speakers and the order of such speakers addressing the Council.
- Ensuring that councillors' motions are prepared and timeously tabled in terms of the procedural rules of Council.
- Assisting the Speaker in the counting of votes.
- Advising the Speaker and the Mayor of any urgent motions.
- Advising the Speaker and Mayor on how to deal with important items not disposed of at a Council meeting.

The Chief Whip is the nerve centre of the ANC's political management system and the engine of cohesion, discipline and accountability of all the public representatives to the structures of the movement and their constituencies. Together with the Offices of the Mayor, and the Speaker, the Chief Whip's Office is the central pillar on which the governing party's programme in the Municipality stands or falls (Mbombela Municipality).

The Chief Whip has a duty to ensure effective political management among all these three centres of power and to do this effectively the Chief Whip has to work very closely and dynamically with the office of Regional Secretary. The Chief Whip and the entire Caucus Leadership bear the leadership responsibility of motivating, advising and instilling discipline among all members deployed in a Caucus (Sedibeng Local Municipality). He/she also has a duty to assign councillors to the specific Portfolio Committees (Paradza et al., 2010: 47).

5.15 Organisational/Political Structures of the Msukaligwa, Mkhondo and Pixley Ka Isaka Seme Local Municipalities

A political structure is defined in the municipal legislation as the Council of a municipality or any committee or other collective structure, elected, designated or appointed in terms of a specific provision of Local Government and the Municipal

Structures Act, No. 117 of 1998. There are five types of municipalities in South Africa. The table below illustrates their designation and description.

Table 5: General types of municipalities in South Africa after 2000

Designation of type	Description of type
Collective executive system	Executive authority is exercised through an executive committee in which the executive leadership of the municipality is collectively vested
Mayoral executive system	Executive authority is exercised by an executive mayor assisted by a mayoral committee
Plenary executive system	The exercise of executive authority is limited to the municipal council itself
A sub council participatory system	This system allows for the delegation of powers to sub-council established for parts of the municipality
Ward participatory system	Matters of concern to the wards are dealt with by ward committees established for each ward

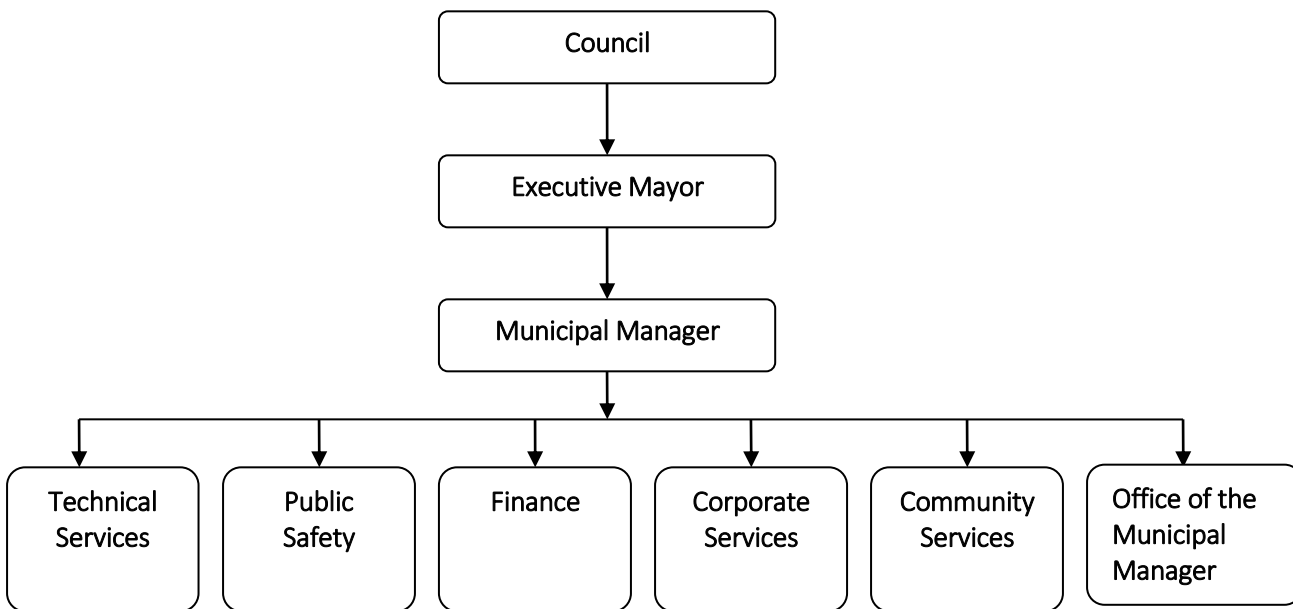
Source: adapted from Nyalunga (2006: 5)

5.15.1 Political/organisational structure of Msukaligwa Local Municipality

The diagram below is a political/organisational structure of Msukaligwa Local Municipality. This diagram indicates the composition of the municipality. The Council is the highest decision-making structure in the municipality which comprises the Executive Mayor and the Members of the Mayoral Committee (MMC).

The Municipal Manager is the accounting officer of the municipality and performs duties assigned to him/her as per the Municipal Systems Act. He/she has the responsibility to manage the finances of the municipality in a more efficient and effective manner. The Municipal Manager oversees 6 strategic components of the municipality as indicated in the diagram below.

Diagram 1: Msukaligwa Local Municipality

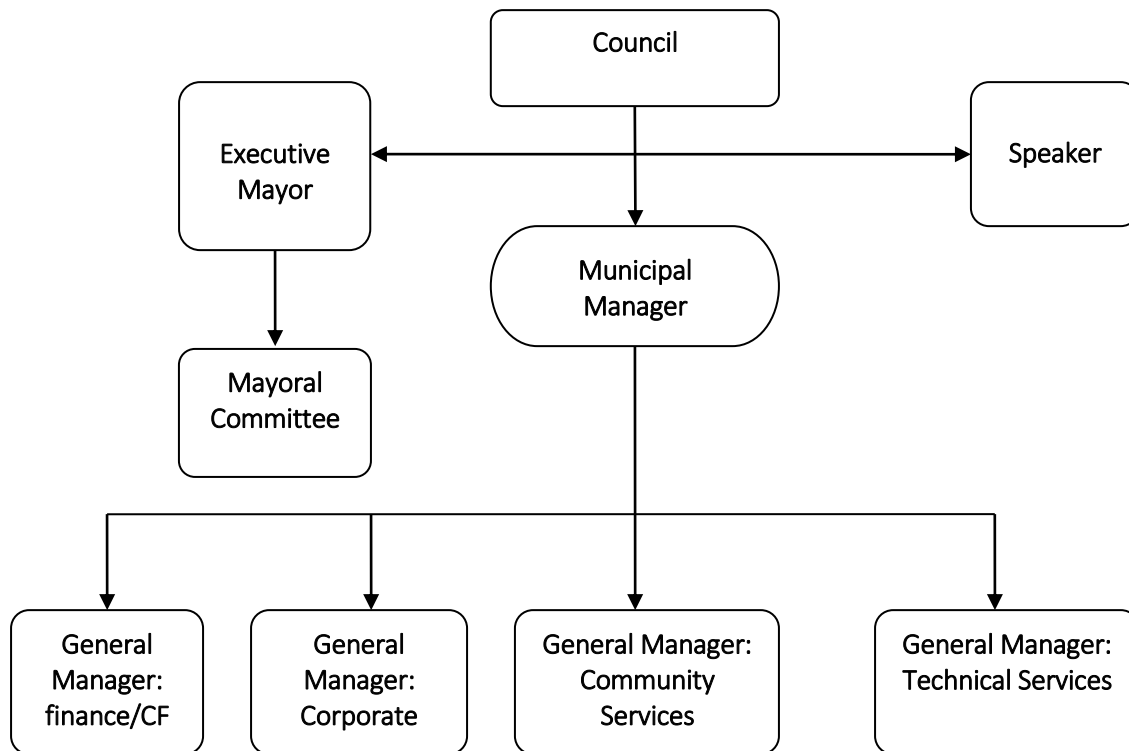


Source: Adapted from Msukaligwa Local Municipality Integrated Development Plan 2014/15

5.15.2 Political/organisational structure of Mkhondo Local Municipality

The political component of Mkhondo local municipality comprises Council, which is represented by 4 full-time and 26 part-time councillors. The Executive Mayor heads the Mayoral Committee comprising four members, while the Speaker chairs the Council meetings. The Administrative component of the municipality consists of four Departments, each headed by the Municipal Manager, and comprises 423 positions, a number of which are currently vacant, including section 57 Managers i.e. Heads of Departments HODs (Mkhondo Local Municipality Integrated Development Plan, 2010). Below is the organisational structure of the municipality.

Diagram 2: Mkhondo Organisational Structure

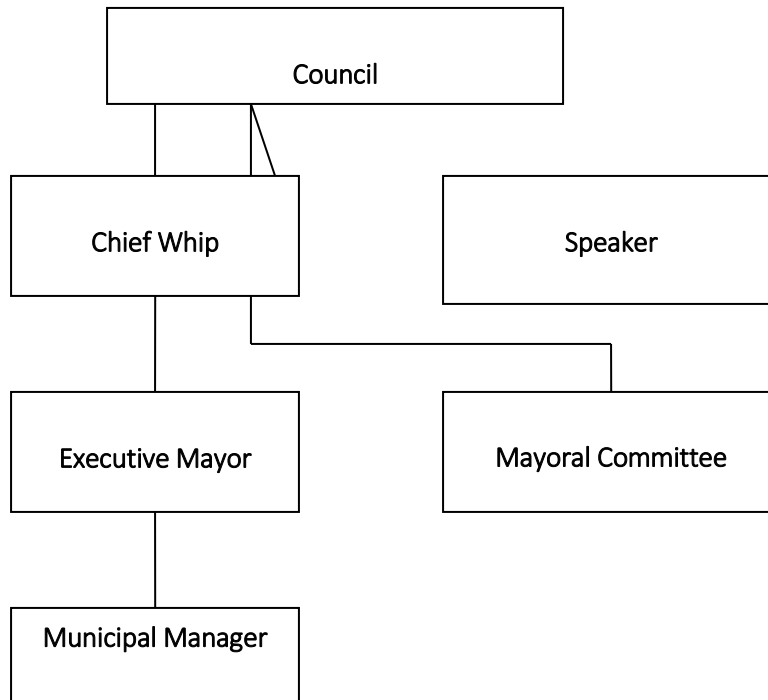


Source: Adapted from the Mkhondo Local Municipality Integrated Development Plan 2010

5.15.3 Political/organisational structure of Pixley Ka Isaka Seme Local Municipality

The diagram below illustrates the political structure of the Pixley Ka Isaka Seme municipality. Unlike the political structures of the Msukaligwa and Mkhondo local municipalities, the Pixley Ka Isaka Seme structure has a position of a Chief Whip, but it does not illustrate the administrative sectors of the municipality like the two municipalities discussed above.

Diagram 3: Dr. Pixley Ka Isaka Seme Local Municipality



Source: Adapted from the Pixley Ka Isaka Seme Local Municipality Integrated Development Plan 2014/15 and 2016/17.

5.16 Conclusion

The delivery of basic services is a constitutional obligation that municipalities must provide uninterrupted to their communities. It is evident from the statistics provided by Census 2011 and the Mpumalanga Finance Report of 2011 that basic services have been provided to community members by the municipalities under study. The socio-economic indicators of the three municipalities depict a picture of municipalities that are battling with the provision of services. The most problematic challenge is that of high youth unemployment which has a direct link to the emergence of violent protests for service delivery in those municipalities. The fact that employment opportunities

The concern that remains is that stats do not indicate as to when the services were provided but only give an account of the deliverables during the period a Census is conducted. Again, the stats don't provide solutions to problems of basic service provision, but capture what ought to be delivered by municipalities. Furthermore,

when the data were collected it was not during the time of the protests, therefore tempers would have submerged and might have influenced what the Census wanted to achieve at any given time.

Having discussed the state of affairs in the three municipalities during the research period; having considered both the similarities and differences among them; it is time now to zoom into the service delivery protests in the research area with the view to establish the extent to which the picture painted above had any relevance to the protest period discussed in this Dissertation.

Municipalities are best placed at the local level to effect the delivery of services to communities. For this task to materialise all structures supporting municipalities need to be geared up to take the challenge. Municipalities need to accelerate the provision of services to community members. It is of this reason that both the speaker and the mayor in a municipality with a collective executive system must work closely together to ensure that the decision-making (including planning and policy-making) processes run smoothly and in the best interests of the local community.

Municipalities have a responsibility to ensure that they realise the objectives of local government within their financial and administrative capacity and that the delivery of basic services is prioritised in the way their administrations, planning and budgeting are structured and managed. Often, if not always, municipalities are blamed by both community members and the other spheres of government for failing to deliver the basic services on time without acknowledging that they also add to the problems faced by municipalities. A case in point is the delay in paying for electricity usage and water by both government departments and poor households.

It is important that Municipalities develop a strategy to deal with the non-performance of Municipal Managers than suspending and firing them without looking at the root cause of their assumed non-performance. The regularity with which senior managers and Municipal Managers find themselves suspended by Councils is an urgent issue

to be addressed in respect to the separation of powers in municipalities (COGTA, 2009: 32).

This chapter has discussed in length the background of the three municipalities as well as the legislation that establishes those municipalities. It further illustrated the organizational structure of the three municipalities studied here. The next chapter, which is the penultimate chapter, will look at the model for municipalities as a measure to prevent future violent protests for services.

CHAPTER SIX

A MODEL FOR MUNICIPALITIES AS A MEASURE TO PREVENT FUTURE VIOLENT PROTESTS FOR SERVICES

6.1 Introduction

The previous chapter presented a detailed account on each of the three local municipalities used as case studies for the present Thesis. This chapter provides a model for municipalities to better deal with protest for services as an when they erupt. The reason behind this exercise is to enhance the importance of public participation in municipal activities. It is important to note that communities need to be involved earlier by political office bearers when they take decisions that affect their daily lives. This is important because of the public participation requirement of many statutory municipal processes, including the annual budget, development planning and service-delivery agreements (Piper and Deacon, 2009).

The model will further seek to advance amongst other things, the understanding and importance of community participation in municipal affairs and ways of communicating municipal projects and programmes in a transparent manner. Furthermore, this chapter will argue for the strengthening of communication systems between municipalities and community members in an attempt to ease pressure on municipalities in communicating projects and programmes, in an event that the delivery of services is not reaching the intended beneficiaries. Lastly, an assessment of the relationship between the political office bearers mentioned above will be made to check whether they are supporting each other in advancing the idea of service delivery.

6.2 Communication as an instrument to unlock unnecessary tensions between Municipalities and Community members

The dawn of the new democracy in South Africa came with a lot of promises and hope for the masses of this lovely rainbow nation that is united in diversity. To the hitherto neglected and marginalised communities, mainly the Africans, there were high hopes that the new South Africa would make poverty and inequalities things of the past. Hence the introduction of the first municipal elections in 1996 heralded and enhanced the hopes of the majority of South Africans that they would see new changed models of municipalities.

There is no doubt that after more than 20 years since the first democratic election of the municipalities and the different good legislative prescripts that govern municipalities which are the third layer of the government, municipalities are the ones where the wheel of delivery touches the ground. The situation has changed for the worst as service delivery protests have become the buzz word in South Africa. There are honourable ladies and gentlemen constituted as councillors in all the 278 municipalities and thousands and thousands officials manning various posts in those municipalities and paid handsomely.

The biggest question is what is an ideal model to mitigate the numerous daily service delivery protests engulfing our country? Moreover, it is important to note that these service delivery protests are spontaneous and uncoordinated and many a times have turned violent and disrupt innocent civilians. Even thugs and criminals piggy back on these service delivery protests to further their ulterior motives.

It must be born in mind that, depending on their location and the specific needs of their local communities, municipalities have different challenges and responsibilities. In this regard, it is important to note that local communities in South Africa are often very diverse and thus pose different challenges to their local authorities. In general, all communities are in need of local governments that are people driven and are

equipped and positioned to achieve optimal social and economic development. Rural municipalities are especially in need of assistance. In the past, most attention was given to metropolitan local governments, while rural municipalities were neglected. In the formation of new municipal boundaries for local governments specific attention has been afforded to municipal institutions outside of metropolitan areas in order to redress the imbalances of the past. But over and above that the service delivery protests are happening all over the country – in particular at the former privileged urban areas and townships. It is for this reason that we will try to propose an ideal model municipality as a panacea to South Africa's protest challenges.

Municipalities are the pinnacle and the nerve centre for the provision of basic services to their communities. They are political in nature and have a responsibility of adhering to the manifestos derived from their political parties as per their election manifestos or their programme of action. Apart from being political they serve the needs of all communities in an apolitical manner and are expected to deliver those services within specific time frames, guided by the Constitutional National Framework and prescripts as well as the Municipal Finance Management System (MFMA), Municipal Structures Act, No.117 of 1998 and the Municipal System Act, No. 32 of 2000.

It is worth noting that every boundary in South Africa is a municipality, which houses all the citizens of the country. Just like in any other country, municipalities evolve. In South Africa, for example, it was as a result of a political transition that came into being when the National Party (NP) Government was voted out in 1994 by the African National Congress (ANC), where all municipalities were catering for all its citizens with services without any form of discrimination. When the ANC-led government took office, it vowed to its citizens that it would deliver basic services as enshrined in the South African Constitution.

According to the Strategy and Tactics of the ANC,

.....the political transition of the early 1990s was premised on a few basic principles: Firstly, that the outcome of the negotiations process would not be a compromise between apartheid and democracy but would as rapidly as possible result in democratic majority rule. Secondly, the Interim Constitution prescribed the need for a multi-party government at national and provincial levels. Thirdly, it was considered prudent to ensure orderly management of the exit of senior functionaries of the apartheid state and gradual law-based transformation of state institutions such as the army, the police, intelligence agencies and the judiciary. Fourthly, changes in local government were introduced in stages, with fully-fledged democracy being achieved only in the year 2000 (ANC Strategy and Tactics, 2007).

Municipalities operate in the form of a public administration milieu and are designed to serve one purpose which is its citizens. Chapter 3 of the Municipal Structures Act, No. 117 of 1998 deals with the composition of a municipality in South Africa. In this instance, the Municipal Council is the political management of municipalities. The Council gives a political leadership of a municipality and officials implement such decisions in the form of the provision of services to community members.

Therefore, community members as the recipients of services provided by a municipality have the constitutional right to participate in the functions of their respective municipalities. This can be done through a process of participation in council meetings. The Constitution of South Africa gives effect to this right. In a well-functioning democracy, the government provides reliable and timely information to the public; it further mandates local government to provide a democratic and accountable local government and encourages the involvement of communities and community organisations in the matters of local government (OECD, 1996: 3; Putu, 2006: 4).

Communication is critical to the success of any strategic initiative as well as in the strategic planning and execution process. Research has shown that organizations have difficulty communicating with the appropriate levels of clarity and detail. This difficulty is likely exacerbated by the divide between each key audience and its understanding (or lack thereof) of project-specific, technical language.

Mensah-Livingstone (2010: page?) provides the principles of communication:

- Good communication requires good planning.
- Examine the true purpose of each communication.
- Consider the total physical or human setting. Take into account not only what is to be said but also the timing, physical setting and social climate involved.
- Consult with others in planning communications. That is to say allow others to participate.
- Take every opportunity to communicate something of help or value to the receiver.
- Follow up your communications. Allow for feedback in all communications.
- Communicate for tomorrow as well as today. Plan communication to serve immediate needs as well as longer-run interests and goals.

The ANC's Ready to Govern Policy Document supports the idea of public participation in government affairs and argues that, participation and accountability are meaningless if people do not have access to information. The public disclosure of all information pertaining to any policy, decision or activity for which any local authority is responsible should be guaranteed. In particular, meetings of the local government council and of council sub-committees should in principle be open to the public (ANC Ready to Govern Policy Document, 1992).

In some instances during protest for services, community members always cry foul about being denied the opportunity to participate in municipal affairs. There is a

concern that municipalities are not consulting communities when drafting the Integrated Development Plans (IDPs) on time. As a result, projects are planned without their knowledge and this creates confusion when municipalities are held to account to their electorates about their progress on projects.

This, accordingly, is seen as an infringement by community members, because they feel that they are not given the correct platform to engage their municipalities about the provision of their basic needs. In some Council Meetings, decisions are rubber stamped to appease a certain cliché instead of decisions being made in the public interests. This means that the process of community participation which is central between the client (in this case community members) and the service provider (municipalities) is compromised, as opposed to being utilised as a vehicle to discuss the plan of action for municipalities. On the other hand, municipalities have also raised concerns regarding non-attendance of council meetings by community members.

6.3 Meeting basic services

There are two critical obstacles to accelerating basic services. These are: (i) lack of critical infrastructure in rural areas; and (ii) the proliferation of informal settlements in urban areas. Both these obstacles are beyond the sole capabilities (institutional and fiscal) of powers and functions of municipalities to confront by themselves (Delivery Agreement for Outcome 9, 2010: 12).

Poor administrative and financial mismanagement, lack of control and accountability systems all impact negatively on service delivery for communities. Compliance with the current financial management system is a constant challenge for many municipalities. Audit reports are uniformly poor for over half the municipalities, the origins of which start with their inability to manage their Annual Financial Statements and the systems and processes described in the MFMA (Ibid: 15).

In meeting basic services, the ANC argues that government will continually improve service rendered to society, through enhanced public infrastructure, efficient systems and requisite personnel. The ANC argues that it approaches issues proceeding from the premise that the state has a critical role to play in providing public goods such as health, education, housing, public transport, education and social security (ANC Strategy and Tactics, 2007).

This has been done through the introduction of mechanisms like the *Izimbizo*, which are aimed at enhancing the relationship between municipalities and community members and to bring government closer to the people. Thornhill quoted in [De Villiers (2008: 71)] agrees with the statement and confirms that *Izimbizo* are informal gatherings with councillors where questions can be asked on any issue related to municipal matters), public meetings, consultative sessions and report back sessions with the local community.

While some have yielded positive results, others have been seen as talk shows by governments to positively acknowledge their failure to deliver on their constitutional mandate. These *Izimbizo* are usually called by municipalities when they are faced with challenges emanating from service delivery instead of being utilised as an early warning system to prepare community members about the future challenges that might hamper municipalities to deliver basic services to communities. This, however, has not assisted in resolving problems faced by community members, since councils/office bearers do not have straight answers on problems of service delivery but further fuel service delivery protests.

Indeed, providing feedback to communities by municipalities is an important element underpinning the core values of democracy and has been proven to be an effective means for improving the performance of public services as it can be used to demand accountability from providers, especially when there are no alternatives due to regulation in the delivery of services (Akinboade et al., 2012: 183).

In some underperforming municipalities, community members have levelled the blame on corruption, maladministration and gross mismanagement of state resources to benefit cronies and a certain cabal within a municipality, which has crippled the confidence of community members on their political leaders. It is common knowledge that corruption has an effect on the running of any organ of a state and has the undesirable implication to reduce the quality of services that must be provided. This therefore requires the most transparent mechanisms on the spending of municipal monies for services and participation and attendance of community members in Council meetings.

Failure by community members to attend council meetings and actively participate in the process of formulating IDPs will indeed jeopardise the functioning of municipalities. At times, some municipalities are caught up in the process for not being realistic to demands made by community members at the beginning of their financial years when they table their IDPs. Due to the nature of the operation and fear of not pleasing community members, municipalities tend to agree to the list of demands from community members whilst there is neither enough money nor the capacity to deliver on that mandate, which later propels communities to protest for services that were promised.

There is a general belief amongst community members that communication is a major problem affecting municipalities. The manner in which municipalities communicate projects has at times been criticised. Community members posit that municipalities are no longer taking their needs very seriously and, in some cases, they are not consulted when important decisions that affect their lives are made, for example, delays in the completion of certain projects and constant water and electricity cuts, etc. This happens despite communities paying for such services.

In the study conducted by Brackertz and Kenley (2002: 127) regarding service delivery approach to measuring facility performance in local government, they found that, councillors often have difficulties communicating the reasons for decisions about

facility closures to the community. Out of frustration, communities thus resort to violent protests which could have been easily averted.

6.4 Communicating projects and decisions of Councils

Communication of projects by the service provider, i.e. municipalities to their clients is important in any business setting. Municipalities have a responsibility to constantly engage their communities about the implementation of projects and any other municipal related matters that affect communities. Lack of communicating the decision of councils put both the municipality and its council in peril, when confronted with service delivery protest due the lack of delivery and other problems affecting the municipality.

In most cases, municipalities are being subjected to harsh situations like disruptions and the burning of Councillors' houses as well as demolishing of state properties. This, indeed, prompted the ANC in its 53rd National Conference to resolve that there should be a major review of the local government financial system, which should include, amongst other things an insurance scheme or some other way of catering for councillors' houses and other properties that are destroyed because of the position they occupy as councillors, and that the national budget should meet the cost of this (53rd National Conference Resolution, 2012: 30).

The ANC warned against this in its policy document of 1992 titled "Ready to Govern" that, the Regional government should not be able to contradict national policy as expressed in the laws of the country, but should rather influence the shaping of these policies and play a significant role in developing mechanisms for implementation (ANC Ready to Govern, 1992).

It will be prudent for municipalities to continuously update their communities about the progress made on their projects and challenges thereof. By so doing, this might ease unnecessary tensions when protests for services arise. On the other hand,

communities have a sole responsibility of ensuring that they actively participate in the affairs of their municipalities without pointing a finger on municipalities when things go wrong or when certain goals are not achieved.

As a matter of principle, communication is a two-way process of sharing ideas, information, and messages with others in a particular time and place. It is also important to state that communication is not limited to just giving information but also extends to transmitting understandable information. It should be noted that receiving and understanding the message is equally important too. Continuously conveying information, ideas, attitudes and feelings among individuals and among groups of individuals is an important communication tool (Mensah-Livingstone, 2010).

Improving the relationship between municipalities and community members could be done through the continuous implementation of the Batho-Pele-Principle. This principle requires citizens to be consulted about the level and quality of the public services they receive and, wherever possible, to be given a choice about the services that are offered (Tshandu and Kariuki, 2010: 193).

The Batho Pele initiative was launched in 2002, with the aim to improve access to public services through increased transparency, accountability and citizen involvement in public service planning and operations. The Batho Pele message resonates strongly with that of the 2004 World Development Report: services can improve by empowering poor people to monitor and discipline service providers by raising their voices in policy making and strengthening incentives for service providers to serve the poor (The World Bank, 2011: x).

The Batho Pele Principle seeks to address amongst others the following areas:

- *Consultation*: This principle requires citizens to be consulted about the level and quality of the public services they receive and, wherever possible, to be given a choice about the services that are offered.

- *Setting service standards*: This principle reinforces the need for benchmarks to constantly measure the extent to which citizens are satisfied with the service or products they receive from departments.
- *Increasing access*: One of the prime aims of Batho Pele is to provide a framework for making decisions about delivering public services to the many South Africans who do not have access to them.
- *Ensuring courtesy*: Citizens should be treated with courtesy and consideration.
- *Providing information*: Citizens should be given full and accurate information about the public services they are entitled to receive.
- *Openness and transparency*: Citizens should be told how national and provincial departments are run, how much they cost, and who is in charge.
- *Redress*: This principle refers to the need to identify quickly and accurately when services are falling below the promised standard and to have procedures in place to remedy the situation.
- *Value for money*: Public services should be provided economically and efficiently in order to give citizens the best possible value for money (KZN Department of Education).

The correct implementation of the Batho Pele Principles by municipalities could assist in the effective management and resolving of community grievances relating to service delivery. It is clear that no amount of services could satisfy community members. However, satisfaction with the level of information on the provision of basic services is perceived as a global consumer response in which consumers reflect on their pleasure level. Satisfaction is based on service delivery predictions/norms that depend on past experiences, driven by conceptual cues (Akinboade, 2012: 189).

Akinboade et al. (2012: 187) assert that public services underpin the social contract between states and citizens and, as such, are an indicator of the health of a society. Services comprise a core element of the social contract. Public access to good

services indicates that a society is well-governed and enables the political leadership to continue to draw support for its programme.

6.5 Problems of implementing municipal projects

The challenge of implementing municipal projects does not lay only with the capacity of municipalities, but also with the economic viability of municipalities, predominantly indigent municipalities that are unable to collect rates from communities because people are unable to pay. As mentioned in the previous chapter of this Thesis, unemployment, corruption and poverty are the most serious challenges facing the performance of the indigent municipalities.

This is a challenge because municipalities by the nature of their operation are expected to collect rates from communities for the service rendered. Not all community members are able to pay for services for various reasons. This leaves municipalities with no option but to provide those services for free, since they are obliged to do so as enshrined in the constitution. With this situation, such indigent municipalities will not be able to economically deliver services on time to community members and will forever be ravaged by protests for the demand of basic services.

One could pose a question whether support provided by the National Treasury is enough to support struggling municipalities as it does with the other spheres of government i.e. the national and provincial governments. The national and provincial governments receive their fiscus to operate their administration from the national treasury whilst with municipalities it is a totally different story.

The national government has played an important role through direct financial support to municipalities, policy reforms and legislation. Yet, according to the same review, there is considerable scope for further improvement in both the quantity and quality of provision, bearing in mind the size of the service backlogs and the pressures from the population and economic growth (COGTA, 2009: 34).

Indeed, as mentioned above, municipalities are expected to generate their own income through the collection of taxes within their municipal boundaries and are expected by law to account for every single cent spent. Just like their counterparts, they are audited annually. The national intervention is required to address the challenge that is faced by municipalities that cannot generate income through the collection of taxes and levies due to the high levels of unemployment and poverty that is affecting community members to pay for services delivered by municipalities.

This idea of local governments to generate their own revenue is derived from the Ready to Govern Policy Document of the ANC. In it, the ANC emphasised that local government should be able to raise revenue for the implementation of its policies, assisted by higher levels of government where appropriate (Ready to Govern Policy Document, 1992). However, this document is silent on how indigent municipalities should be supported to achieve this mammoth task. It only speaks of government intervention which has not wholly assisted struggling municipalities to achieve their desired outcome. This therefore calls for a policy review of the existence of the many local municipalities that are not fully functional.

In its Regional Policy Document of 1993, the ANC stressed that the starting point should be a strong emphasis upon the need to strengthen local control over the use of public resources. In its view, this would help to ensure that usage is efficient and appropriately tailored to local conditions. The link between paying taxes and receiving public services must be recognised as an important element in the strengthening of democratic accountability, and is most direct at the local level (ANC Regional Policy Document, 1993).

The other matter that is a challenge facing municipalities is failure by both the public and private sectors to pay on time for services such as electricity and water owed to municipalities. Whether municipalities have the political power to switch the lights and cut water supply on defaulters remains to be seen. This dilemma is putting pressure

on struggling municipalities to purchase water from various water-boards and electricity from Eskom. If the situation is not attended to speedily, the bill of municipalities will forever grow, thus resulting in services being cut off. An ineluctable corollary thereof would be continued protests for services which would continue to erupt spirally.

The situation in other areas has given birth to a number of Ratepayers Associations across the country like: the Concerned Ratepayers Association of South Africa (CORPA) and Independent Ratepayers of South Africa (IRASA), with the sole idea of encouraging unhappy rate payers to not pay their municipal accounts, but instead hand the money over to the ratepayer association to be kept in a trust, in order to force municipalities to start delivering services. If the municipalities fail to meet their demands, an External Service Provider can be appointed in terms of Section 76 of the Municipal Systems Act, Act 32 of 2000. The money can then be used to fix water, sanitation, street lights, etc. (CORPA, 2010).

In its constitution, the Independent Ratepayers Association of South Africa (IRASA) argues that;

.....it is determined to ensure local Government in South Africa has a character and culture of respect, dignity and service delivery. IRASA is a watchdog that will fulfil an oversight role ensuring municipal finances are managed in accordance with the MFMA and municipal services is delivered in an economic, effective, efficient, transparent and accountable manner (IRASA, 2005).

These associations have seized the opportunity to provide services to their members from struggling municipalities. This is a serious problem to both the local government and the South African Local Government Association (SALGA) as the machinery to ensure the delivery of basic services to community members. With this situation, the ANC has long noted that it needs to galvanise the support of communities in an effort to improve service delivery and strengthen the actions of alliance partners that

contribute towards improving service delivery (ANC 51st National Conference Resolution, 2003).

It further introduced the Letsema campaign, which was purportedly meant to become a permanent feature of the Batho Pele process. The ANC argues that it needs to lead a political education campaign to help our members to engage with public officials and demand services, and to help our structures play a political leadership and oversight role in relation to service delivery. It should further develop a partnership with all public sector unions in order to achieve the goals of Batho Pele in order to ensure the realization of improvement of service delivery in an endeavour to improve the quality of life of our people (Ibid, 2003: 6).

6.6 Communication Model between Municipalities and Communities

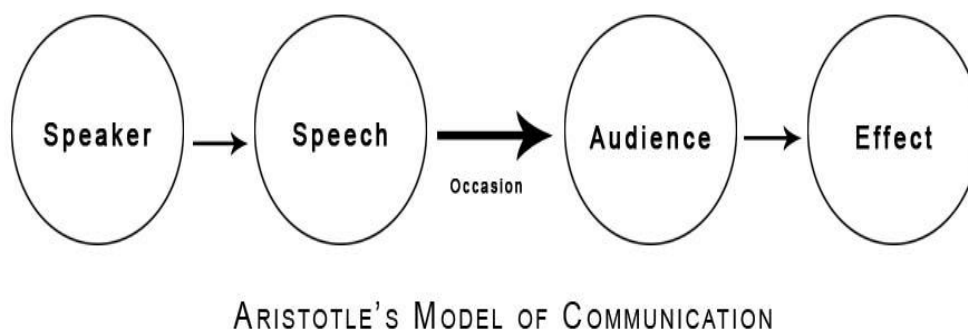
There are various types of communication models, for example: Berlo's Model of Communication; Shannon and Weaver's Model of Communication; Schramm's Model of Communication and the Helical Model of Communication. But, for the purpose of this study, the Aristotle Communication Model will be used as an example to feed into the proposed model of communication between municipalities and community members.

Aristotle was the first to take an initiative and designed the communication model. His communication model is formed with 5 basic elements: Speaker, Speech, Occasion, Audience and Effect. In his model, the speaker plays an important role in public speaking. The speaker must prepare his speech and provide an analysis of the audience's needs before he enters into the stage (Communication Theory).

The Aristotelian model of communication is the widely accepted and the most common model of communication where the sender sends the information or a message to the receivers to influence and make them respond and act accordingly. The Aristotelian model of communication is the golden rule to excel in public

speaking, seminars, lectures where the sender makes his point clear by designing an impressive content, passing on the message to the second party and expect them to simply respond accordingly. Here the sender is the active member and the receiver is accordingly assumed to be a passive member (<http://www.managementstudyguide.com/aristotle-model-of-communication.htm>).

Diagram 4: Aristotle Communication Theory



Adapted from <http://communicationtheory.org/aristotle%E2%80%99scommunication-model>

In this model, the speaker plays a key role in communication. He/she is the one who takes complete charge of the communication. The sender first prepares the content which he does by carefully putting his thoughts into words with an objective of influencing the listeners or the recipients, who would then respond in the sender's desired way. There is no point in guessing that the content has to be very impressive in this model for the audience or the receivers to get convinced. The speaker communicates in such a way that the listeners get influenced and that they respond accordingly.

Each politician needs to understand the needs of the people in his or her constituency like the need of a shopping mall, better transport system, safety of girls etc. and then design his speech accordingly. His speech should address all the above issues and focus on providing solutions to their problems to expect maximum

votes from them. His tone and pitch should also be loud and clear enough for the people to hear and understand the speech properly.

6.7 Municipal Institutional Capacity Model

The model is premised on a two-stage construction, namely the viability stage and the sustainability stage. The model thus attempts to determine the viability as well as the sustainability of municipalities, enabled by their natural, social and environmental endowments and their institutional capacity (leadership & innovation; long term visioning & planning; revenue; public participation; and human resources) to perform their constitutional mandate in the short term. The model presented here therefore can serve as framework to develop tools to predict what the likely performance of a municipality will be, given its institutional capacity (the meso level) (Scheepers, 2015: 183).

The Municipal Institutional Capacity Model will further assist in analysing the problems communities highlight on a daily basis as they submit memorandum after memorandum. Most municipalities that are without adequate skills to run their day to day business, faces bleak prospect to deliver according to their constitutional mandate. What sticks out like a swollen thumb in all these protests is the issue of unsatisfactory service delivery in the various communities. It has been alluded earlier on that the 278 municipalities in South Africa, comprising eight metropolitan, 44 district and 226 local municipalities, are governed by councils and officials who are earning their livelihood in ensuring that all systems are in place and that service delivery is given unhampered to their different communities.

This model will move from the premise that a good municipality will have three main components which, when strengthened and tightened, will go unhindered. A clear line and distinction must be drawn between the roles and responsibilities of the different role players in the space of governing the municipalities. Furthermore, the model will assist municipalities that are unable to eradicate the longstanding basic

service delivery backlogs, which are often used as measure for municipal underperformance.

It is crucial to note that good governance is built upon an effective interface among political office bearers, political structures, councillors and officials, the delegation of appropriate powers to achieve maximum operational and administrative efficiency and the amicable resolution of disputes between the respective role-players. It is for this reason that an ideal model municipality must identify the functions, roles and responsibilities of the political office bearers, political structures, councillors as well as the Municipal Manager. There should be no interference and crossing of lines as that might be the causal factor of the mismanagement of municipalities. Hence, this model proposes the following components as key to the success of municipalities: administration, economic development and service delivery.

Municipalities must have sound and credible administrators who are qualified and experienced for all the management and technical posts they are employed in. Service performance contracts must guide the functioning of the municipalities. Administration must be left to technocrats and politicians must entirely focus on their policy roles and oversight. The Chapter 9 institutions including the Office of the Auditor General must have biting teeth and their recommendation. Deployed cadres must be qualified and experienced to occupy the positions they are in. Moreover, their political caps must not in any way interfere with administration. Hence oversight in the municipalities must be a daily bread. We cannot agree more with the proposed oversight model as public participation is a central constitutional imperative.

It is therefore, essential as elected representatives of the people, that the Legislative Sector involves the public in all activities involving oversight. This will take communities in confidence that the administration of their municipalities is in accordance with their integrated development programs (IDPs). In that way, people will see municipalities to be governed by them as the Freedom Charter says people shall govern. The administrators must ensure that they tighten and strengthen

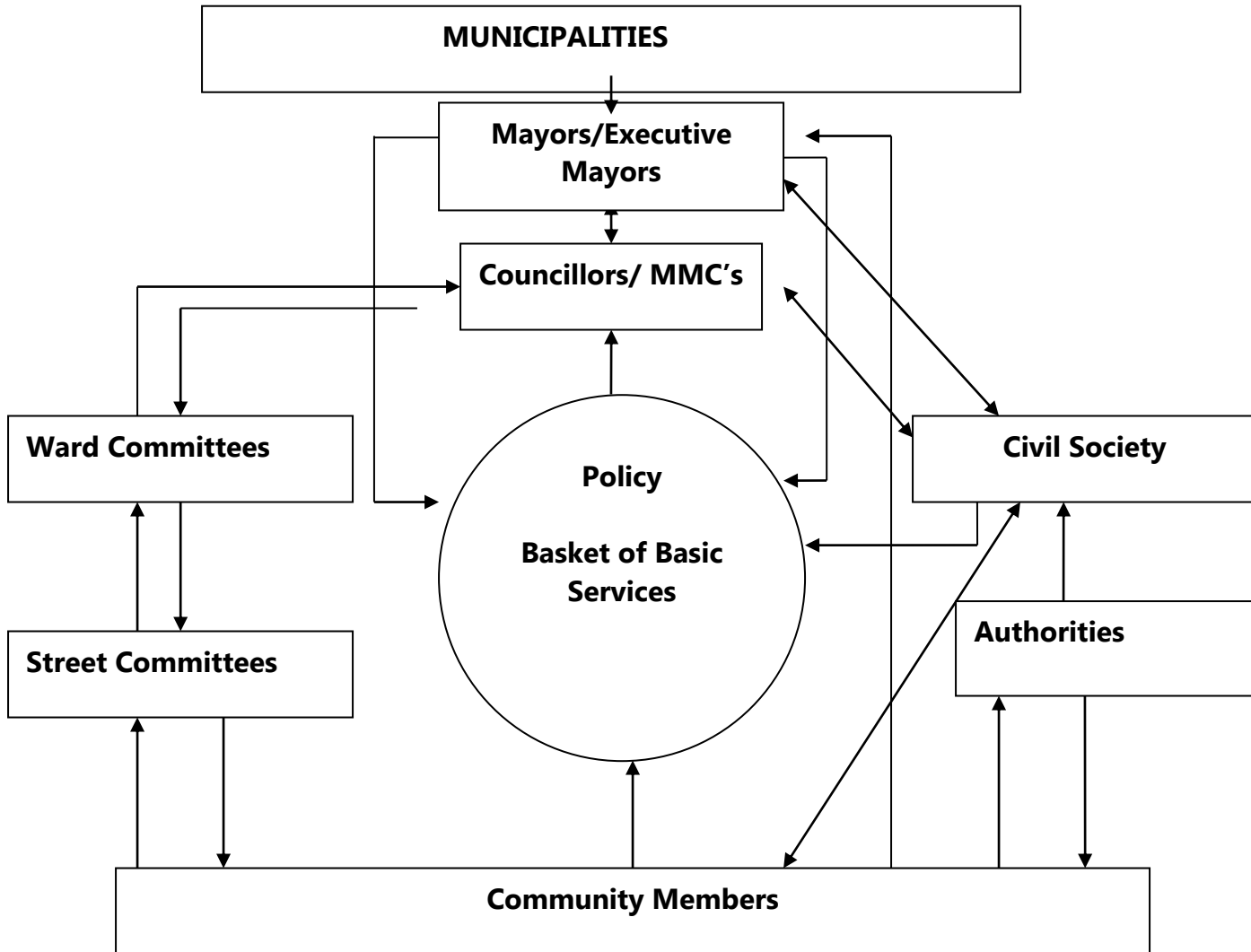
systems of communication with the residents utilising all the technologies at their disposal.

According to the Presidency (RSA, 2014; 3) local government faces several related challenges including, poor capacity and weak administrative systems illustrated by poor financial and administrative management, weak technical and planning capacity, governance challenges and uneven fiscal capacity. In the past 10 years there have been various initiatives and interventions planned and co-ordinated by the national and provincial departments aimed at supporting municipalities to overcome these challenges. These interventions for the most part have produced minimal impact and less than optimal results over time. This is due to a lack of a cohesive plan, uniform approach, co-ordination and alignment amongst the sector departments in implementing these interventions.

The Minister of Local Government and Traditional Affairs and SALGA need to relook at how to provide both financial support and capacity to the struggling municipalities. Most municipalities that were established after the dawn of democracy are struggling to provide services to their communities on a daily basis as compared to municipalities that were established by the previous regime.

Public accountability should be entrenched to ensure that the prescripts geared to assist in the running of the municipalities are smoothly implemented. The governance issues of the municipalities should be of paramount importance in the running of the municipalities. These issues call for the Municipal officials to stick to serving the public than fiddling in the political affairs of the municipality. In the same manner, the political office bearers should stick to the political affairs of their municipalities. The diagram in the next page shows the proposed communication model.

Diagram 5: A Model for Municipalities



Source: Author's compilation

The above model is a proposed model aimed at improving the relationship between Municipalities and their communities. This model is not intended to discredit the existing models within municipalities, but seeks to offer some leeway in terms of better handling communicating of municipal projects and programmes aimed at improving the lives of the people on the ground by municipalities. This model seeks to put more emphasis on innovation and capacity. A capacitated municipality will be able to render and deliver its services to its communities without hindrances. For this

initiative to materialise, both the politicians and municipal officials would need to work together and put aside their differences.

The filling of vacant funded posts remain a serious challenge affecting the struggling municipalities. Coupled with that is the politicisation of the municipal affairs where certain posts are not filled because suitable candidates are overlooked over cadres and friends. It is imperative that the political office bearers and senior municipal officials should prioritise this matter in order to allow the qualified personnel to join municipalities and provide professional services to those struggling municipalities. It is crucial that municipalities create necessary systems and procedures to assess the different dimensions of organisational capacity.

This model is opposed to a politicised model by John Mafunisa, which model is subject to abuse by corrupt politicians and senior public servants. An emphasis on the politicised model is more about political patronage than on the merit principle. Therefore, the Complementarity Model will offer a stable solution for the politician's administrator's problem that the dichotomy debate could not envisage. This model is based on political office bearers and senior public servants joining hands together in the pursuit of effective governance (Mafunisa, 2003: 99).

Madumo (2011: 75) stresses that the method used by the government in decision making has to be inclusive, i.e. it should involve the public. The involvement of the public can bring substantial benefits including, a satisfied and supportive public as well as the enhancement of a stronger democracy. Community Participation in the local government is crucial in a multi-dimensional and integrated development plans (Putu, 2006: 11).

6.8 Structures of the Municipalities

6.8.1 Political Office Bearers (Executive /Mayors/Councillors)

The role of the political office bearers in a democracy is to give direction to policy and expression to a common interest (Mafunisa, 2003: 97). The honour of political office bearers lies in their personal and ethical responsibility for their actions. To take a stand to be passionate is the function of the political office bearer. This role is opposed to that of the public servants who are to engage only in the impartial administration of their offices.

A municipal council is the political structure in a municipality, and possesses the legislative authority and the executive authority in so far as the management of a municipality is concerned. A municipal council is composed of the councillors (either party representatives or independent) normally elected in accordance with schedules 1 and 2 of Act No, 117 of 1998 (Madumo, 2011: 31-32).

Municipal Councils oversee the performance of the administration through council and committee meetings. The mayor provides the link between the council and administration and is responsible for regular monitoring and for tabling reports before the council. Therefore, the administration is responsible for the day-to-day operations (MFMA Circular No 32, 2006: 2).

Madumo (2011: 30) stresses that the municipal council is the highest decision making body in terms of the legislation and executive authority of a municipality (Municipal Structures Act, 1998). This means that the municipal council is vested with the authority to make decisions in relation to the authorisation of the municipal by-laws, and resolutions pertaining to matters as identified in schedule 4B and 5B of the Constitution (Act 108 of 1996).

The Political Office bearers have a responsibility to run their municipalities in an efficient and transparent manner to ensure the free flow of services to community

members. They must all ensure that community members form part and parcel of any decision taken at the council meeting and that they are key to the development of IDPs (Thornhill quoted in De Villiers, 2008: 72). Also, community members have a responsibility to ensure that they advise their municipalities about their needs not the other way round.

6.8.2 Executive Mayor/Mayor

The mayor acts as the chairperson of the executive committee. The mayor may also perform any ceremonial duties and exercise the powers delegated by the council or the executive committee. Municipalities making use of the executive committee system elect a mayor from their members (Act 117 of 1998, section 48). The mayor acts as the chairperson of the executive committee.

6.8.3 Ward Councillor

In local government, two kinds of councillors can be identified. Firstly, a ward councillor is an individual elected by voters in every municipality, more specifically in a ward, to represent the voters of that particular ward in the municipal council (Section 73 (2) (a) of the Municipal Structures Act, 1998). The second is the Proportional Representation (PR) councillors. The PR councillors are elected on the basis of representation of party politics. Through the election of these councillors, a municipal council is thus established for a period not exceeding five years as provided for by Section 24 (1) of the Municipal Structures Act, 1998 (Madumo, 2011: 30-31).

According to Thornhill quoted in De Villiers (2008: 67), fifty percent of the councillors are elected on a ward basis where the ward system has been introduced. This implies that a municipality (except a district municipality and some metropolitan municipalities) is divided into wards and the electorate in each ward elects a councillor to represent them. The remaining 50% of the councillors are elected on a

proportional basis through the party list system according to the number of votes a party obtains in an election.

Ward Councillors play a central role in the communication process between the communities they represent and the council, reporting back regularly through ward meetings and assisting the community in identifying needs and priority areas of development which feed into the municipality's planning process. A Ward Councillor is directly elected to represent and serve people in a specific ward. As such, the Ward Councillor should make sure that the interests of the people in the ward are represented as properly as possible (Annual Report Dr. Pixley Ka Isaka Seme, 20012/13).

The Ward Councillor should be in touch with the issues in the area, understand the key problems and monitor development and service delivery. In committees, caucus and council meetings, the ward councillor should act as a spokesperson for the people in the ward. The ward councillor is the direct link between the council and the voters. He or she makes sure that voters are consulted and kept informed about council decisions, development, budget and plans that affect them. People can also bring their problems to the ward councillor and he/she should deal with these in an appropriate manner, for example, by taking up matters with council officials. The ward councillor is assisted by the ward committee (Annual Report Dr. Pixley Ka Isaka Seme, 20012/13).

A ward councillor can be understood to be an elected person to represent the ward on a council and performs the following functions in the municipality:

- Chairperson of the ward committee;
- Responsible for convening the constituency meeting to elect ward committee members and for calling ward committee meetings;

- Responsible for ensuring that a schedule of meetings is prepared, including: ward committee meetings, constituency meetings and special meetings;
- Works with the ward committee to ensure that there is an annual plan of activities;
- Responsible for ensuring that the ward committee does what the municipality expects about reporting procedures;
- Responsible for handling queries and complaints in the ward;
- Responsible for resolving disputes and making referrals of unresolved disputes to the Municipality;
- Should be fully involved in all community activities that the ward committee is engaged with; and
- Responsible for communicating the activities and meeting schedules to the PR councillor (Putu, 2006: 9; Smith, 2008: 9; Madumo, 2011: 14).

The PR Councillor is allocated to a ward and provides support to the ward councillor on matters that relate to the ward or the ward committee. In relation to the above, the PR Councillor can execute his/her duties in the following manner:

- Can handle queries and complaints in consultation with the ward councillor.
- Should attend ward committee meetings, constituency meetings and special meetings.
- Can assist with resolving disputes and making referrals.
- Supports the ward councillor, but does not replace the ward councillor, and
- Can also delegate the PR Councillor to Chair the meeting in his or her absence.

6.8.4 Civil Society

One would argue why civil society is important in the functioning of a democratic dispensation. According to Bunbongkarn (2001: 138), civil society, as Larry Diamond defines it, is the realm of organized social life that is open, voluntary, bound by a legal order or set of shared rules. Civil society involves private citizens acting collectively to make demands to the state or to express in the public sphere their interests, preferences and ideas or to check the authority of the state and make it accountable. With this in mind, civil society may encompass a wide range of organizations concerned with public matters. They include civic, issue-oriented, religious, and educational interest groups and associations.

Englebrecht (2015:1) supports the idea of a civil society. She stresses that civil society plays an important role in facilitating political and social interaction. Thus, the state creates a conducive political and legal environment, and the private sector generates jobs and income.

Bunbongkarn (2001: 138-139) is of the opinion that civil society is crucial in the consolidation of democracy. He stresses that, in countries like Indonesia, the Philippines, South Korea and Thailand, without the participation of the masses or civil society, democratization would not have been achieved. This is how it was achieved;

In Thailand for example; the economic success of the 1980s and early 1990s gave strength to the middle class and led to demands for more openness, political liberalization and democratization. In Indonesia, democratization was made possible through socio-economic changes that included the rise of the middle class and the expansion of civil society. In South Korea, the role of civil society in fostering democratic transition was reflected in a series of student and worker demonstrations against authoritarian rule and demanding liberalization and democratization during the latter part of the 1980s.

It is for that reason that the ANC stresses that all legislative and executive powers at the local level should be constitutionally vested in elected structures. In order to deepen democracy and ensure grassroots participation in the organs of government, the ANC believes that all organs of civil society, such as civic/residents associations, trade unions, traditional leaders, business organizations, cultural organisations, women's organisations, religious groups, and other interest groups, need to be given the scope to influence the process of government (Ready to Govern Policy Document, 1992).

As discussed earlier in this chapter, every boundary in South Africa is a municipality. Therefore, each and every municipality is made up of a collective of citizens who possess different skills and capacities that can be utilised to shape the running of their municipalities. These citizens are termed civil society because they influence a particular ideology in the society. Due to the political nature of municipalities, the civil society feels that it has been abandoned in the political wilderness, either by contending forces or factions within municipalities.

The ANC noted that the NEC must develop ways of strengthening the ability of ANC Branches, Alliance structures and other civil society structures to participate in policy processes and inform decisions on issues affecting the lives of our people. All the legislatures (i.e. parliament, provincial legislatures and municipal councils) must improve their ability to monitor and assess the performance of government departments, and should be given the resources to carry this out (ANC 51st National Conference Resolutions, 2003: 6).

Officials in a municipality are appointed to provide policy advice to political office bearers, implement the agreed to policies of government and play their part in the systems of political accountability and control, which exist to check and monitor the actions of government (Mafunisa, 2003: 91).

6.8.5 Functions of Civil Society

The Civil Society performs a variety of functions in society. Their ideological positioning places them on top of government agendas in shaping policy and in the implementation of government programme of action. Amongst other functions performed by civil society are the following:

- They can help consolidate democracy in a number of ways. As Diamond points out, civil society can play a role in checking, monitoring and restraining the exercise of power by the state and holding it accountable. This function can reduce political corruption, which is pervasive in emerging democracies. It can force the government to be more accountable, transparent, and responsive to the public, which strengthens its legitimacy.
- Civil-society organizations can play a vital role in making the elites and the mass public more committed to democracy by disseminating democratic principles and ideas.
- They assist by stimulating political participation.
- Civil-society organizations can supplement the role of political parties in encouraging people to get involved in politics, especially as voters in elections.
- They empower the people and.
- Civil-society organizations in many democracies perform the function of representing the interests and asserting the rights and power of the people (Bunbongkarn, 2001: 141)

Flowing from the above, it is clear that civil society can have a positive effect on a stable, democratic dispensation. Supporters of a civil society argue for a strong civil society that is able to produce a stable support for the government and one that can make the government more responsive to the needs of the people.

6.8.6 Ward Committees in Local Government

The Wards system in South African was first introduced at the Cape of Good Hope, when the burghers pressed for a greater share in the government of the Colony. These wards were governed by ward masters. In 1786, a committee of the High Court was established at the Cape of Good Hope, which was subsequently given municipal and policing functions in 1793 (Madumo, 2011: 73).

The term 'ward committee' is synonymous with the functioning of a municipality, as they have an obligation to supplement the work of Ward Councillors. Ward Committees have emerged as a key institutional mechanism intended to contribute towards bringing about people-centred, participatory and democratic local governance in the early 2000's.

Their core function is to supplement the role of elected councillors by creating a bridge between communities and the political and administrative structures of municipalities. They operate within the legal and policy framework as laid down by the Municipal Structures Act, No. 117 of 1998 and the Municipal Systems Act, No. 32 of 2000 (Putu, 2006: 4; Smith, 2008: 3; Piper and Deacon, 2009; Khuzwayo, 2009: 1; and Madumo, 2011: 1).

Ward Committees provide an important channel for citizens to have their voices heard at the local level (especially in a context where there are few existing alternatives for citizens to be involved in governance at local level), and are accountable to community members that elect them in the local government election. Ward committees were introduced as the primary participatory government structure for local communities. A ward councillor is their chairperson. A critic of this system is that it is viewed as a highly partisan structure aligned to party political agendas (Putu, 2006: 14; Smith, 2008: 4-5; Piper, Thornhill in De Villiers, 2008: 72 and Deacon, 2009).

For government, the ward committee system is an attempt to ensure that democracy not only is the preserve of a central parliament, but that citizens have a stake in governance at the local scale. Ward committees are instruments through which the Freedom Charter clause ‘the people shall govern’ may be realized (Naidu, 2011).

Municipalities are required to make rules regulating the procedure to elect members onto the ward committee. They may make recommendations on any matter affecting their ward to the ward councillor or, through the councillor, to the council, executive committee, Mayor or sub-council. Ward committees can also have any duties and powers delegated to them by the municipal council (Ibid.: 7; Piper and Deacon, 2009).

In its 53rd National Conference organised at Mangaung in 2012, the ANC argued that there is a need to strengthen public participation in the local level, to enhance a working relationship between municipalities and community members. This could be done in line with the inclusion of ward committees, since they are crucial in ensuring that municipalities function effectively (ANC 53rd National Conference Resolutions, 2012: 29). The implementation of the ward committee system must be situated against the backdrop of a substantial community protest against deficiencies in local government (Piper and Deacon, 2009).

This participation is strengthened by Chapter 4 of the Municipal Systems Act (2000), which details the procedures municipalities must adopt to promote community participation. According to the Act, ward committees could be established in each ward of a Category A or Category B municipality. The Municipal Systems Act of 2000 elaborates further on the issue of community participation in municipal affairs and encourages municipalities to establish alternative forums where no municipal structures for community participation exist (Piper and Deacon, 2009; Naidu, 2011).

These procedures according to Piper and Deacon (2009), include the following: receipt, processing and consideration of petitions and complaints lodged by members

of the local community; notification and public comment procedures; public meetings and hearings; consultative sessions with locally recognised community organisations and (where relevant) traditional authorities; and reporting back to the local community. Especially important here are the imperatives to public consultation around the annual budget, the Integrated Development Planning (IDP) review process, the Performance Management System (PMS), service delivery contracting and all by-laws, amongst others.

Putu (1996: 13) argues that, participation between the municipality and the committees would be at the level of policy formulation, priorities and strategies and the implementation of it will be facilitated by the municipality. If limited consultation on the implementation phase occurs with ward committees this could be a problem on the legitimacy of the services. However, its long term benefits outweigh those of a situation whereby participation does not take place.

At the ANC National Conference organised at Stellenbosch University in 2002, it was resolved that the ANC constitutional structures, especially branches, should complement the functioning of Ward Committees so that residents and sectors of society are mobilised to actively participate in development (ANC 51st National Conference Resolutions, 2003: 6).

This matter was once more reiterated by the ANC at its 53rd National Conference in Mangaung, Bloemfontein in 2012, that Ward Committees should engage more with Thusong Centres to ensure that they are able to track the delivery of services offered by municipalities and offer advice to communities on matters that require government attention (53rd National Conference Resolution, 2013).

The ward committees perform the following functions with their areas of operation as led by the Ward Councillor, who is the chairperson of a ward committee:

- Increase the participation of local residents in municipal decision-making, as they are a direct and unique link with the council. Are representative of the local ward, and are not politically aligned.
- Should be involved in matters such as the IDP process, municipal performance management, the annual budget, council projects and other key activities and programmes as all these things impact on local people.
- Can identify and initiate local projects to improve the lives of people in the ward.
- Can support the councillor in dispute resolutions, providing information about municipal Operations.
- Can monitor the performance of the municipality and raise issues of concern to the local Ward.
- Can help with community awareness campaigns e.g. waste, water and sewage, payment of fees and charges, as members know their local communities and their needs.

6.8.7 The core functions of Ward Committees

The functionality of a ward committee has an impact in enhancing public participation in achieving service delivery. A ward committee is an independent variable and as a result, public participation would therefore depend on the functionality of ward committee (Madumo, 2011: 6).

Smith (2008: 56-57) and Piper and Deacon (2009) recommend the followings for improving the functioning of ward committees:

- o The primary function of ward committees should be to act as a communication channel between communities and municipal councils, and vice versa.

- Ward committees should be more integrated into municipal IDP processes.
- There need to be institutionalised mechanisms for communication between municipal councils and ward committees.
- The role of councillors is critical to the effective functioning of ward committees.
- Input from ward committees needs to be acted upon, otherwise they risk becoming discredited structures in the eyes of communities.
- Ward committees should be independent structures rooted within civil society.
- Ward committees cannot function effectively without receiving capacity building training.
- Ward committees cannot function effectively without administrative and other support from municipalities.
- Ward committee members should receive incentives for their work.
- Ward committees should be democratically elected, representative structures.
- Ward committees should be accountable for their activities to the communities they represent.
- Ward committees should complement, rather than detract from, other spaces for public participation in local governance.
- Municipalities should have communication strategies to support ward committees.
- Learning between ward committees should be promoted.

6.8.8 Challenges facing Ward Committees

Ward Committees face three main serious challenges to perform their legislative mandates (Smith, 2008: 13). These challenges relate to the following areas: Politics of representation, Structural limit of power and the vagaries of councillor and party politics. Some ward committee members are not fully capacitated with the functioning of municipalities and risk the dangers of undermining the aspirations of the people they ought to be serving (Ibid., 23).

Madumo (2011: 52) argues that ward committees appear to be inept, because of the lack of capacity to promote genuine public participation. The challenges that are facing ward committees have a direct impact on their effectiveness. The other challenges which face ward committees are as follows: Lack of effective power, tensions between ward councillors and ward committee members, lack of funding and other resources, capacity inadequacies, tensions between well paid Community Development Workers (CDWs) and unpaid ward committee members; and ward committees that do not engage with ward communities adequately.

The most problematic area facing ward committees is the vastness of the area of operation that they need to cover despite having inadequate funding to do so, the lack of office space within municipalities where they need to conduct their daily business and the low level educational attainment to scrutinise technical documents as well as funding to manage their travelling arrangements (Smith, 2008).

Piper and Deacon (2009) emphasised that, as yet barely functional seven years since first being established, ward committees have from the outset been caught up in relations of dependency with ward councillors, political parties and the municipality itself, and that these relations threaten to undermine the democratic dividends that the committees are expected to yield.

Smith (2008) argues that most observers appear to be critical of ward committees, arguing that most committees in the country are not functioning as intended and that rather than enhancing the environments of participatory governance ward committees have actually undermined it by displacing many other former channels for public participation. Piper and Deacon (2009) also support this argument. They argue that the ward committee system is too dependent on certain key individuals, political parties and the municipality for it to underwrite public participation in local governance. Naidu (2011) opines that the concerns of ward committees are largely ignored by the municipal councils and their functionaries.

Naidu quoted in De Villiers (2008: 86) is of the opinion that the dysfunctionality of ward committees in their current form has indeed weakened the process of public participations. Jili (2012: 31) notes that the projects run by the Institute for Democracy in South Africa's (IDASA) Dialogue Unit have shown that frustration over service delivery has been exacerbated by dysfunctional relationships between citizens and government, and even among government departments, compounding mutual negative misperceptions.

Naidu quoted in De Villiers (2008: 86) identified the following broad issues affecting the performance of ward committees;

- Participation in ward committees is predicated on a formal, legalistic understanding of participation, which sees those who participate as beneficiaries or clients of government's development interventions. It is based on a technical approach to participation which fails to engage sufficiently with issues of power and politics. People are not part of the actual decision-making processes as decision-making power resides somewhere else.
- The Ward committee's participation mainly benefits organised and well- resourced social groupings and local party political actors who

do not need any recourse to access local power-holders, excluding a large sector of unorganised, mainly poor, voices.

- In this way, power relations in ward communities are shaped by powerful interests, including party political actors, organised groupings and ward councillors/power-holders. For example, ward councillors together with local party political actors determine the agendas and outcomes of ward committee participatory processes.
- Ward committees lack clear focus and show a lack of clarity around roles and responsibilities.
- Ward committees have no real power and are therefore not taken seriously by the community or by the decision-makers in the municipalities.
- In many instances ward committees have become nothing more than extensions of political parties and are easily subjected to manipulation.
- Ward committee members have insufficient training to carry out mandated activities.
- Ward committees lack both administrative and infrastructural support.
- Ward committees have displaced many vibrant community initiatives such as ratepayers' associations, residents' associations, cultural groupings, etc. The ward committee system has become a convenient vehicle through which municipalities can say that they have satisfied (Ibid, 86-87).

The Ward Committee System raises serious challenges with regard to its effectiveness in enhancing the involvement of communities in meaningful local decision-making. Therefore, the process of broadening participation of various sectors through a Refined Committee Model will be required.

This therefore calls for the amendment of Sections 73(2) and 74 (a) of the Municipal Structures Act, so that the Ward Committee is no longer chaired by a ward councillor

and that the composition is not limited to ten members. The number of Ward Committee members should be determined by the constituency of interest groups within the ward. The current restriction of ten members constrains representation of the interest groups in certain diverse wards. This could be promoted by establishing ward sub-committees to focus on certain sectoral interests of the community (Delivery Agreement for Outcome 9, 2010: 49).

Delivery Agreement for Outcome 9 (2010: 49), considered the following key issues to provide a closer evaluation of the regulatory framework of ward committees:

- The funding model.
- The institutional arrangement including delegation of powers.
- Stakeholder engagement plan/framework.
- Terms and mechanism for engagements.
- Regulation for compliance.
- Roles and Responsibilities based on the expanded/improved mandate.
- Engagement schedule/mechanism.
- Monitoring, evaluation and reporting.
- Accountability.

6.8.9 The role of SALGA in Local Government

The South African Local Government Association (SALGA) is an organisation mandated by the South African Constitution to assist in the comprehensive transformation of local government in South Africa from the pre-1994 regime to the new dispensation under the country's first democratically elected government (SALGA 2007/8 Annual Report).

SALGA is administered on the basis of its own constitution, which was adopted in 1996. It was first recognised by the Minister as the national organisation representing PLGA's in January 1997 after the enactment of the OLG Act. In 1997, SALGA

formally represented the nine Provincial Local Government Associations (PLGA's) who in turn represented the 843 different structures of local government.

In May 2000 the SALGA constitution, was amended and formally adopted in anticipation of the first local government elections in December 2000 which introduced a new local government dispensation. The second phase of amendments was from 2000 to 2004 (Dlangwa, 2013: 24).

SALGA is recognised as the representative of the Organised Local Government (OLG). It was first established in 1996 in anticipation of the OLG Act. In 1997 after the enactment of OLG Act, it was recognised by the Minister as a voluntary body representing all municipalities and nine PLGA's. It is a non-statutory body whose official status originates from the Minister's recognition in meeting the provisions foreseen by section 163 of the Constitution and in terms of the OLG Act (Dlanjwa, 2013: 21).

Section 2 (1) of the Organised Local Government (OLG) Act provides that the Minister must recognise one national organisation representing the majority of the provincial organisations. Furthermore, on a provincial level the Minister with the consent of the Member of Executive Council responsible for local government must recognise in each province, one provincial organisation representing the majority of the municipalities on condition that all the different types of categories of municipalities in the province are members of the organisation (Ibid, 2013: 20).

One of the key mandates of SALGA is to represent, promote and protect the interests of local government at the national and provincial levels as it was established to facilitate a central Inter-Governmental Relations (IGRs) role on behalf of OLG. The other function of SALGA is to offer capacity training to both the councillors and ward committee members to allow them to move with time in the process of the provision of basic services to their communities. SALGA operates within legislative mandates and has to be measured under the following Key Performance Areas (KPA's):

- Municipal transformation and organisational development.
- Basic service delivery.
- Local economic development.
- Financial viability and management.
- Good governance and public participation.

It has to ensure that it contributes to municipal transformation and organisational development; contributes to the effective and sustainable delivery of municipal services; contributes to the stimulation of local economies and poverty alleviation; contributes to the strengthening of municipal financial capacity and contributes to good governance and public participation in municipalities.

6.9 Conclusion

Municipalities need to strengthen their channels of communication with communities and take ownership of the implementation of their projects. Without properly communicating with communities, they risk the danger of being vilified by community members when systems fail. It is crucial to note that communication is an instrument of social interaction, a tool for understanding others and a means of keeping in touch with people. It also assists in establishing, extending and maintaining relationships, by giving orientation to staff and spelling out the goals of an organization because there is no organization that can survive without communication (Mensah-Livingstone, 2010).

Community members have a role to play in ensuring that they form part and parcel of municipal processes, even more so when decisions that affect their lives are taken at municipal council level. This could be done through actively participating in municipal activities, because a municipality cannot operate without community members. The latter are indeed a municipality. This process will help to demystify the public sector,

while simultaneously building up external respect and support for the continuing process of economic and political transformation (OECD, 1996: 7).

Bond (1998: 61) supports this notion that communities should be involved at all levels of decision making and in the implementation of their projects. The key to such participation is capacity building, and funds for community-based organisations must be made available. It bears mention as well that in the two World Development Reports (WDRs), the World Bank itself has offered conflicting signals on the merits and modalities of participation.

Indeed, public participation gives expression to the slogan, 'the people shall govern', which is the primary tenet of the ANC's most important ideological document, the Freedom Charter of 1955 (Piper and Deacon, 2009).

Local government should actively promote the processes of sustainable and participatory community development. The local government should address unemployment and poverty through local economic development and promotion of informal sector activities. In particular, local government should take steps to protect the interests of the poor through appropriate forms of tenure, housing and access to employment opportunities (ANC Ready to Govern Policy Document, 1992).

Public participation can be realised when Ward Committees are fully functional and operational, because they play a crucial role in ensuring that the delivery of services is realised and is required to build constructive relations between the local community and the council. They are important in the process of deepening the democracy of municipal decision making. When the councillors are capable the local party supports the local community on key issues and the municipality is well run (Piper and Deacon, 2009; Khuzwayo, 2009: 2 and Naidu, 2011).

The work that is carried out by both the civil society and ward committees can have a positive impact in the improvement of the life of the people within their municipalities.

Municipalities need to create space within themselves for that to happen. Civil-society organizations will be more active in stimulating the political awareness of the mass public and in encouraging their political participation to protect their own interests. Through these efforts, governments can become more accountable and responsive to the people's needs, and the elites and the mass public will be more committed to democracy. Hence, democratic consolidation will be achieved (Bunbongkarn, 2001).

This idea can be achieved if municipalities communicate their plans properly and allow the principle of democracy to prevail. This then leaves municipalities with a duty of deepening the culture of delivery of basic services as enshrined in the constitution and as this will enhance the strengthening of the system of local government. What is clear from this chapter is that municipalities should engage more with community organizations in ways that reduce the prospects of service delivery protests (ANC 53rd National Conference Resolution, 2012: 29-30; Piper and Deacon, 2009).

The present chapter has shown in vivid terms that community members have an obligation to pay for services so as to allow municipalities to deliver services to them without any hindrances. Equally so, government institutions and private institutions must pay for services rendered by municipalities to allow them to function properly. Blaming municipalities for failing to deliver services to their communities while government institutions fail to pay these municipalities for services rendered is both unjust and inappropriate. Therefore, the success of municipalities in executing their duties is contingent upon everyone playing a critical role – be it through payment for services rendered, or by participating in municipal activities and planning meetings. The municipal model proposed in this chapter is meant to resolve some of the challenges discussed above.

Now that various issues related to municipalities and service delivery protests have been discussed and a municipal model proposed, this chapter marks the end of this Thesis. In the next and last chapter I will draw conclusions and proffer some recommendations on the way forward.

CHAPTER SEVEN

RECOMMENDATIONS AND CONCLUSION

7.1 Introduction

A lot has been said in this Thesis regarding service delivery protests and their various causal factors. This theme has been addressed both from a general theoretical perspective and with specific reference to the selected case studies. In this regard, the establishment, organization and functioning of municipalities in post-apartheid South Africa have all been discussed in this document. In so doing, various stakeholders have been enumerated and their roles in ensuring that municipalities remain viable and functional institutions have been explicated. Key challenges which render some municipalities dysfunctional or failing to operate at their optimal level have been identified. Importantly, some pointers have been given on how some of these challenges could be dealt with. Lastly a new model was proposed as a way of demonstrating how municipalities could improve on the work that they do.

Now, this last chapter has a dual purpose. Firstly, it pulls the Thesis together by reiterating some of the key findings of the study. Secondly, it presents the recommendations of the study as a way forward. However, to allow for more space to pull the Thesis together, I will begin with the recommendations.

7.2 Recommendations

The recommendations presented below are informed by both the analysis and the findings obtained from the interviews that were conducted at the three local municipalities (See Chapter Five of this study) and from other sources. While it is true that some proposals and recommendations were made in different chapters, albeit in a tantalizing manner, this section will be more detailed.

Below is a list of the recommendations drawn from the study as per the affected stakeholders.

Municipalities

- The success of any municipality depends on the work done by those who hold offices in such municipalities. Therefore, it is recommended that Municipal officials should abide by the principles of *Batho Pele* (a Sesotho idiom, meaning People first); that they ought to discharge their responsibility with prudence and in an efficient, transparent and accountable manner.
- The services delivered to the community need to be of instructive value geared towards changing the lives of the people by restoring their human dignity rather than being services of substandard.
- The South African Constitution affirms that municipalities must identify and prioritise local needs, determine the level of local needs, determine adequate levels of services and allocate necessary resource to the public. Therefore, it is recommended that municipalities should not act alone; they should always bring their clients (communities) on board when making decisions or when planning.
- Municipalities are apolitical in nature. It is incumbent upon a strong political system to hire competent and patriotic employees to key positions in order to serve community needs.
- Delivery of services should be equated with their quality so as to improve the living standards and ensure the restoration of human dignity for all affected communities.
- Municipalities need to appeal as spheres of excellence, meaning that they need to attract a wide variety of skills from a pool of experts. This would require properly qualified personnel to carry out their tasks as stipulated in their Key Performance Areas (KPA's), without being intimidated by politicians.

- A conducive environment needs to be created within municipalities to allow community members' participation without fear of being victimised for raising fundamental questions about the adverse running of their municipalities.
- Municipal posts need to be filled without undermining the skills possessed by people who are not aligned to a particular cabal. Qualified personnel need to be considered for municipal posts so as to improve on service delivery and thus reduce the number of service delivery protests.
- Municipalities must continuously monitor the progress of their projects and report to their various constituencies to avoid unnecessary confrontation with community members when projects fail or are abandoned, and
- Municipalities must open up space for all stakeholders to have an input in the drafting of the IDPs to reflect the broad representation of the populace of a municipality and capture all societal needs.

Councillors

- Ward Councillors need to forge a sound working relationship with community members since they are elected to represent the needs of community members.
- Councillors are required at all times to concentrate on their political mandate and refrain from meddling in the administration of the municipalities
- Councillors and officials should be continuously trained, not only in how to deliver more effectively, but also in ways to engage with community members (Jili, 2012: 35)
- Changes are taking place too fast for many municipalities to assimilate effectively. The challenge to build developmental municipalities is much greater than previously envisaged. The dilemma is that numerous government programmes are already looking to municipalities to be the

primary implementing agent of development programmes. Therefore it is recommended that municipal staff should be constantly capacitated in order to be able to meet this expectation.

- Ward Councillors need to constantly communicate municipal projects to community members. They should continuously and timeously call community meetings to discuss challenges and report on the progress of their municipalities.
- Ward Committees need to gear up their operations and ensure that they constantly engage community members about the business of the municipality.
- Municipal Councils need to support Municipal Managers to conduct their tasks effectively without interfering with the administration of the municipality.

Community Members

- Community members must be encouraged to fully participate in their municipal affairs to avoid situations where crucial decisions are taken for them without their full knowledge and/or participation.
- A space for robust consultation needs to be created to allow community members to bring new fresh ideas to their municipalities as opposed to municipal officials discussing issues all by themselves.
- Community members must refrain from burning and destroying both public and private property during protest action. Such behaviour derails any plans to develop municipalities.
- Community members need to acclimatise themselves with the rules of applying for a protest march so that they do not break the law.

Civil Society

- Civil society needs to take its centre stage in advising municipalities on matters that seek to assist the functioning of municipalities.
- Civil society needs to take part in the drafting of the IDPs.

- Civil society must create space for debates that will assist municipalities in formulating by-laws that will benefit the municipalities.

Municipal Officials

- Municipal officials need to carry out their tasks effectively and stop meddling in the politics of the municipality.
- For high standards to be achieved and sustained, public officials should display honesty, transparency and internal accountability with regard to the general public. This is because public officials without personal morality and a sense of public duty will either be prone to abusing their positions or fall prey to being abused by corrupt elements (Kanyane, 2010: 81).

SALGA

- SALGA needs to have a different strategy of assisting poor and rural municipalities than having a universal strategy of addressing municipalities as though they were homogeneous. The needs of rural and urban municipalities might not be the same hence a different strategy is required.
- A funding model for needy municipalities needs to be revisited with the sole purpose of ensuring that the delivery of services is not compromised.
- Municipalities need to be realistic when talking to community members about what they will be able to deliver as per their IDPs. Empty promises trigger protests.
- As shown in this study, municipalities fall under different categories. As such, their capabilities vary. It is therefore recommended that National Government needs to review some of the responsibilities assigned to poor and indigent municipalities.

- To forge a different approach, whereby there is a simplified IDP for the smaller municipalities, with a simple revenue plan, there should be progressive assessment of which elements of the planning system may need to be revised to accommodate these differences over the longer term (Delivery Agreement for Outcome 9, 2010: 24).
- There is a need for an improved understanding of the concept of integrated planning for service delivery. For example, the provision of water and sanitation are interrelated processes and must be planned in parallel. The implementation of sanitation projects should not happen randomly as in cases where reticulation work is undertaken without bulk infrastructure.
- Municipalities must comply with the Municipal Finance Management Act (MFMA), the Supply Chain Management (SCM) Regulations and their own SCM policies when: (i) procuring goods or services; (ii) disposing of the goods; (iii) selecting contractors; and (iv) selecting "external mechanisms" for the provision of municipal services.
- There is no legal impediment to using community-based service providers. If the CBO is to provide municipal services, then sections 77 and 78 should apply, and the appointment must be in terms of a written agreement. Provinces (Departments responsible for Local Government & Provincial Treasuries) must develop programmes of differentiated support for municipalities to improve their expenditure records on the capital budget, and ensure that the expenditure is constantly in line with national targets.
- Critical posts of Municipal Managers, Town planners, Chief Financial Officers and Engineer/technical services, HR and Communications Managers should be prioritised.
- The constant changing of Municipal Managers due to failure of Municipalities to carry out their mandates is not going to solve the challenges facing municipalities, but perpetuates more challenges, if the

root causes are not addressed. It is thus recommended that axing MMs should be the last resort after all factors have been considered.

- Municipalities need a helping hand in sourcing a variety of new ideas. Constant training of municipal officials on programmes that are geared up to improve the functioning of municipalities needs to be introduced. This will allow the discouragement of the usage of consultants on jobs that could be performed by municipal staff.

MEC for COGTA

- The MEC responsible for Local Government must establish early warning systems within municipalities which will indicate the sign of poor service delivery.
- There is a need to accelerate the delivery of basic infrastructure in these municipalities; this could be done through the alignment of the local, national and provincial plans.
- Both government and the private sector need to work together in attracting more investment for municipalities to reduce the scourge of poverty, unemployment and urbanisation affecting municipalities.

The Provincial SAPS

- Both SAPS and the affected stakeholders need to work together in resolving any grievances.
- When protests arise, SAPS needs to thoroughly assess the situation before engaging in maximum force since at times innocent people get hurt in the process.
- During the violent protests for services, SAPS members should abide by their constitutional mandate that governs them. Chapter 11 of the Constitution makes provision for such. It stipulates that the South African Police Service has a responsibility to;
 - Prevent, combat and investigate crime
 - Maintain public order

- Protect and secure the inhabitants of the Republic and their property; and
- Uphold and enforce the law
- Create a safe and secure environment for all people in South Africa
- Prevent anything that may threaten the safety or security of any community
- Investigate any crimes that threaten the safety or security of any community
- Ensure criminals are brought to justice; and
- Participation in efforts to address the causes of crime.

Political Parties

- Political Parties need to resolve their petty politics without using community members to settle their political scores.
- When elected into office, Political Parties need to prioritise the needs of the people, not their parties. For example, when they are needed to address challenges affecting community members, they need to attend to their grievances than sending government officials to resolve them.
- Political Parties should relook at the viability of having fewer municipalities since most rural municipalities particularly those that were established after the 1994 election are struggling to survive as opposed to the urban ones.
- Political Parties should desist from imposing election candidates to communities as this phenomenon has been viewed as an act of arrogance and is disrespecting the wish of the community. The very same phenomenon has happened in the recent local government election where a preferred candidate by community members was replaced. As a result, most places around the City of Tshwane were set alight and the ruling party (ANC) lost the local government election to the opposition party the Democratic Alliance (DA) with the help of other parties such as the EFF.

This phenomenon has previously triggered many violent protests in the country.

7.3 Conclusion

Protest actions, no matter the source of the grievance, occur within municipal spaces. Municipalities bear the overwhelming consequence of the protest actions, ranging from damage to infrastructure and public amenities to diminished public perceptions of local government effectiveness. While local government does face some of the significant challenges, the extent to which local government is directly responsible for motivating community protest action is an unsure determination. Often, important community issues driving community protest are neither related to local government nor its mandates, as it is the case with issues of housing (Steyn, 2015: 11).

The protest activity has been a feature of the South African political landscape for decades. Challenges have arisen in classifying protests according to their frequency and motive. This is due to the many methodologically unstandardized ways data is collected, coded and classified. As a result, many protest tracking studies examine newspaper reports of protests to form profiles of service delivery and community protest frequencies and motives. But these data collection methods do not collectively contribute to a broader understanding of community protests and their relationship to service delivery. For example, not all peaceful protests or their motives are reported in the media or are decisively linked to the reported motivations and issues (Ibid.: 11).

Local municipalities are responsible in terms of the constitution for specified services referred to as municipal services. These include: water supply and sanitation, electricity, municipal roads, solid waste and refuse removal and their associated infrastructure. The duplication of district and local services provided for by Section 84 of the Municipal Structures Act has complicated service delivery responsibility and

accountability, and may also be seen to be unnecessary duplication of resources and skills (Delivery Agreement for Outcome 9, 2010).

After conducting both the telephonic and face-to-face interviews at the three local municipalities, the study arrived at the conclusions below. The conclusions are listed as per a municipality.

Among the revelations of this Thesis in **Mkhondo Local Municipality** is that;

- The level of communicating municipal projects and programmes by the municipality to community members were at the lowest point.
- Community members were not at all impressed with the running of their municipal affairs; the level of trust was minimal, thus hampering the dissemination of municipal projects and programmes.
- Community members were frustrated with the poor or lack of services that the municipality was providing.
- Leaders of the protests raised the long standing issue of water interruption, potholes in town and at the township as a serious challenge to their motor vehicles and their local economy, and
- Leaders of the protests raised the issue of corruption in the allocation of the RDP houses. That the RDP houses that were built in the municipality were not benefiting local people who have been in the waiting lists for a long time but benefitted certain residents of Swaziland and fellow South Africans from neighbouring provinces like KwaZulu Natal and Gauteng.
- Certain jobs at the municipality were given to friends and relatives of both the municipal officials and political offices bearers, leaving the deserving locals with nothing.
- Most municipal projects are run by people from Nelspruit, those with political close connections with the leadership of the

Province. Community members have raised this as a serious concern, but no one was prepared listen to them.

- The judicial system was biased, only serving the interests of the white people. Certain white farmers were harassing black farm labourers and nothing was happening to the perpetrators even if the matter was reported to the local SAPS. If a white farmer is arrested, he/she will get preferential treatment from the judicial system. If arrested, the perpetrator will not spent a single day in the police holding cells, they get bail even on a Sunday, because the Magistrates in the area are white and they know each other.
- Community members wrote to both the municipality and the province to resolve the above, but their cries fell on deaf ears, hence the violent protest for services erupted.
- The political office bearers neglected the plea of community members. As a result, violent protests for services erupted.
- In the process, municipal property was gutted and the houses belonging to the local councillors were also destroyed. The schooling system was not spared from the whole fiasco, it was disrupted too. The local economy was severely affected due to the blockage of the N2 road that connects both KwaZulu Natal and Mpumalanga Provinces.

In **Msukaligwa Local Municipality** the study revealed that;

- The cause of the violent protests was as a result of the party political interference in the preferred choice of a candidate for the municipal local government election. However, it later emerged during the interviews that the preferred candidate for the election had his eye in business interest of the mining economy with the municipality, rather than being a Councillor. Therefore, the only way to get into the mining business was to canvass both the

unemployed youth and community members in his ward to nominate him for the position of Ward Councillor.

- The whole idea was foiled by the Provincial Executive Committee of the ruling party (ANC) which decided to replace him with another candidate, who happened not to be in the good books of the community members. As a result, the violent protest erupted.
- Before the violent protest erupted, leaders of the community wrote to the office of the Premier to ask him to meet with them to resolve the whole matter, unfortunately he did not meet with them at the agreed time and this angered the community which resorted into a protest.
- Community members saw the replacement of their preferred candidate as sign of arrogance and disrespect by the ruling party. When the whole thing erupted, it got the momentum and later spread to other wards within the municipality. The focus then turned into the protests for services rather than the question of replacing a preferred candidate for the local government election. Community members were mobilized and the burning of tires, blockage of streets and the disruption of the schooling system became the order of the day.
- This happened until the then National Provincial Commissioner Mr. Bheki Cele and the delegation from the province visited the municipality to listen to the grievances of the community members and found solutions to the challenges that were raised by community members. As a result of the visit to the Municipality, systems were laid down to deal with future violent protests for services.
- All stakeholders agreed to find possible ways of resolving future violent protests for services. The Municipality, Provincial Police (SAPS), leaders of community members and other various

stakeholder agreed to work together to find better ways of dealing with violent protests for services.

Among the revelations of this study at the **Dr Pixley Ka Isaka Seme Local Municipality** were the following:

- The violent protest for services was as a result of the lack of trust between the unemployed youth and the municipality over the filling of posts in the municipality.
- The high level of unemployment and poverty appear to have been the attributing factors that gave rise to the violent protest for services
- The unemployed youth felt that the municipality is not adequately addressing their pressing challenges of employment therefore they sought to change the regime
- The contested political space for leadership in the municipality is also as contributing factor.
- The employment opportunities that resulted due to the rolling of projects by the municipality could not accommodate the high number of job seekers. As a result, those who felt that they had been left in the cold decided to protests against the leadership of the municipality. This study has shown that the prolonged delay in filling the funded vacancies in municipalities has a potential to negatively affect the process of service delivery. Many municipalities also face undue political interference in staff appointments and administrative decisions. It is crucial to note that their ability to deliver a focused set of priority services to the municipality is largely dependent upon a professional core team that is able to plan and administer the delivery of essential services.

- The ongoing political tension between those that were in power at the municipality was never addressed on time until it spilled over.
- For this municipality, it should be noted that the quest for positions of power was the main factor that gave rise to the violent protests for services at the municipality.

In a nutshell, the study has demonstrated that municipalities face many problems and that their problems range from issues such as: poor governance and accountability, weak financial management, high vacancies in critical senior management posts and in a number of instances, an inability to deliver even a core set of critical municipal services efficiently and effectively. There is no municipality that will function optimally to deliver services to community members if these problems are not resolved.

What is also clear from this study is that municipalities are not only confronted with revenue collection challenges, there are also serious capacity challenges around systems of internal controls which inevitably lead to low revenue realisation levels (Delivery Agreement for Outcome 9, 2010: 5). Without efficient and stringent revenue collection systems, poor municipalities will forever suffer and such will affect their ability to deliver core services on time to communities. When this happens, service delivery protests will remain inevitable. On the other hand, indigent municipalities will suffer the most if there is no political and economic will provided to them by the government of the day. Failure to deliver services will inevitably result in more violent protests for services. Municipal officials and politicians should be mindful of that.

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INTERVIEWS

FACE TO FACE INTERVIEWS

1. Mr. Sipho Bongwe the then Mayor of Msukaligwa Local Municipality; Thursday, 8th October 2015.
2. Three Officials (names withheld), from Mkhondo Local Municipality; Thursday, 8th October 2015.
3. Mrs. Mapaseka Madonsela the then Mayor of Pixley Isaka Seme Local Municipality; Friday, 9th October 2015

TELEPHONIC INTERVIEWS

1. Mr. Shaun Marrow (not real name), leader of the protest Pixley Ka Isaka Seme Local Municipality, Thursday, 27 January 2017
2. Mr. Themba Mkhize (not real name), member of the team of protestors Msukaligwa Local Municipality, 01 February 2017
3. Mr. Zweli Mthethwa (not real name), member of the protestors of Mkhondo Local Municipality, February 2017

RESPONSES BY THE MEC OF MPUMALANGA COGTA

1. MEC for Cooperative Governance and Traditional Affairs (MEC Refilwe Mtshweni), Written Responses dated 24 February 2017 (**See attached letter, Annexure F**).

The letter from the Office of the MEC made it clear that the three municipalities under study did not experience any violent protest for services between 2004 and 2010, but only in 2014. This statement was made regardless of the large amount of data both from the print, electronic and government interventions on the matter.

It was made clear from the chapter that information will be collected on a voluntary basis, therefore it would be difficult for one to compel the office to verify the information provided since they are the responsible for matters relating to Cooperative Governance and Traditional Affairs in the province.

Amezure A

Lt General B.M Zuma
Mpumalanga Provincial Commissioner
Private Bag X11299
Nelspruit
1200

Dear Provincial Commissioner

SUBJECT: REQUEST FOR APPROVAL TO SOURCE INTERVIEWS AND INFORMATION ON THE VIOLENT PROTESTS FOR SERVICES (ERMELO, VOLKRUST AND PIET RETIEF POLICE STATIONS)

My name is Sello Mukhara, the Office Manager in the Office of Minister of Sport and Recreation, Mr. Fikile Mbalula. I am a bursary holder from the Department of Sport and Recreation.

I'm a final year PhD student at the University of Venda. I'm doing a study on the Violent Protests for Services that erupted in Mpumalanga Province between 2008-2010. As part of my research methodology, I am expected to source out information from the three Police Station mentioned above.

The information that I would kindly request from the Police Station is as follows;

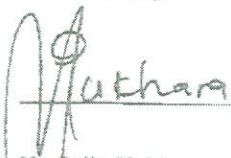
- What led to the violent protests for services?
- How many violent protests for services cases were recorded in that period?
- What happened? e.g. damage for property
- How was SAPS able to deal with those protests and what kinds of measures were put in place to deal with the violent protest for services?
- Who were the perpetrators of the violent protests for services?
- What lessons can be learned from the violent protests for services.

I am available to go conduct the interviews at the three Police Stations in the beginning of February 2017, subject to approval by the Provincial Commissioner.

For Ermelo and Volksrust Police Stations, I will be available for the date of the 2nd February 2017, and will be able to conduct the interview at Piet Retief Police Station on the 3rd February.

Am looking forward to hearing from you about my request.

Yours faithfully,



Mr. Sello Mukhara
Office Manager: Ministry Sport and Recreation
Date: 16 January 2017

Annexure B



**MINISTRY: SPORT AND RECREATION
REPUBLIC OF SOUTH AFRICA**

Private Bag X869, Pretoria, 0001, Tel: (012) 304 5158, Fax: (012) 323 8426
Private Bag X9149, Cape Town, 8000, Tel: (021) 465 5506/7/8/9, Fax: (021) 465 4402

22 September 2015

Cllr. J.S Bongwe
Executive Mayor of Msukaligwa Local Municipality
PO Box 48
Ermelo
2350

RE: REQUEST FOR A MEETING

Dear Executive Mayor.

My name is Sello Mukhara, the office Manager in the Office of Minister Fikile Mbalula. I've written to your Office requesting to be assisted with information for my studies. I would like to request a meeting with your good self at a time and date convenient to you in order to get more understanding about the factors that gave rise to protest for services in your municipality.

Thanks for taking time to read my letter and hope to get responses from you.

Yours truly,



Mr. Sello Mukhara
Office Manager (Ministry Sport and Recreation)
060 976 2127/ 076 686 6108
Sello@srsa.gov.za/sellomuk@gmail.com

Annexure C



**MINISTRY: SPORT AND RECREATION
REPUBLIC OF SOUTH AFRICA**

Private Bag X869, Pretoria, 0001, Tel: (012) 304 5158, Fax: (012) 323 8426
Private Bag X9149, Cape Town, 8000, Tel: (021) 465 5506/7/8/9, Fax: (021) 465 4402

22 September 2015

Cllr. B.H Mtshali
Executive Mayor of Mkhondo Local Municipality
PO Box 23
eMkhondo
2380

RE: REQUEST FOR A MEETING

Dear Executive Mayor.

My name is Sello Mukhara, the office Manager in the Office of Minister Fikile Mbalula. I've written to your Office requesting to be assisted with information for my studies. I would like to request a meeting with your good self at a time and date convenient to you in order to get more understanding about the factors that gave rise to protest for services in your municipality.

Thanks for taking time to read my letter and hope to get responses from you.

Yours truly,



Mr. Sello Mukhara
Office Manager (Ministry Sport and Recreation)
060 976 2127/ 076 686 6108
Sello@srsa.gov.za/sellomuk@gmail.com

Annexure D



**MINISTRY: SPORT AND RECREATION
REPUBLIC OF SOUTH AFRICA**

Private Bag X869, Pretoria, 0001, Tel: (012) 304 5158, Fax: (012) 323 8426
Private Bag X9149, Cape Town, 8000, Tel: (021) 465 5506/7/8/9, Fax: (021) 465 4402

22 September 2015

Cllr. E.P Malatsi
Executive Mayor of Pixley Ka Isaka Seme Municipality
Private Bag X 9001
Volksrust
2470

RE: REQUEST FOR A MEETING

Dear Executive Mayor.

My name is Sello Mukhara, the office Manager in the Office of Minister Fikile Mbalula. I've written to your Office requesting to be assisted with information for my studies. I would like to request a meeting with your good self at a time and date convenient to you in order to get more understanding about the factors that gave rise to protest for services in your municipality.

Thanks for taking time to read my letter and hope to get responses from you.

Yours truly,



Mr. Sello Mukhara
Office Manager (Ministry Sport and Recreation)
060 976 2127/ 076 686 6108
Sello@srsa.gov.za/sellomuk@gmail.com

SUID-AFRIKAANSE POLISIEDIENS



SOUTH AFRICAN POLICE SERVICE

Privaatsak /Private Bag X 11299, NELSPRUIT 1200

Verwysing Reference	3/34/2
Navrae Enquiries	Brigadier Griffiths Colonel Moodley
Telefoon Telephone	013 762 4676
Faksnommer Fax number	086 586 5936

THE PROVINCIAL COMMISSIONER
SOUTH AFRICAN POLICE SERVICE
MPUMALANGA
1200

- A. Division: Research
South African Police Service
PRETORIA
0001
- B. Mr. Sello Mukhara
Ministry of Sport & Recreation
MPUMALANGA

PERMISSION TO CONDUCT RESARCH ON SERVICE RELATED VIOLENT PROTESTS AT ERMELO, VOLKSRUST & PIET RETIEF POLICE STATIONS

A)

1. Attached herewith please find a copy of a request submitted by Mr. Sello Makhara for permission to have access granted to the above-mentioned police stations for research purposes.
2. Your assistance in this regard is greatly appreciated.

B)

1. Your letter dates 2017-01-16 refers.
2. Kindly be informed that approval for your request to conduct research must be attained from National Head Office before this matter can proceed any further.
3. Upon attainment of feedback from National Head Office, you will be informed of the outcome accordingly.

Kind Regards



PROVINCIAL COMMISSIONER: MPUMALANGA PROVINCE
B M ZUMA

LIEUTENANT GENERAL

Date: 2017 -01- 24



co-operative governance
& traditional affairs
MPUMALANGA PROVINCE
REPUBLIC OF SOUTH AFRICA

Annexure F

Building No. 6, Ext 2, No. 7 Government Boulevard, Riverside Park, Mbombela, 1200, Mpumalanga Province
Private Bag X11304, Mbombela, 1200. Int Tel: +27 (13) 766 6087, Tel: (013) 766 6087
Int: Fax: +27 (13) 766 8252, Fax: (013) 766 8252

Litiko
Lekubusa
ngekubambisana
netebuholi bendzabuko

Departement van
Koöperatiewe Regering
en Tradisionele Sake

umNyango
wezekuBusa
ngokuHlanganyela
neeNdaba zamaKhosi

Ref : 12/3/2/2/1/1
Enq : John Mogane
Contact No : 082 9341 838

Mr Sello Mukhara
Office Manager: Ministry Sport and Recreation
The Minister Sports and Recreation
P O Box
PRETORIA
0001
24 February 2017

Dear Colleague

REQUEST FOR RESEARCH ASSISTANCE

The office of the Honourable MEC Ms RM Mtshweni acknowledges receipt of your request for information on violent protest for services in our province. Kindly note that Mpumalanga Province has established the Provincial Operation Centre on the 05th February 2013 to coordinate Early Warning Systems and protest marches. Our offices therefore do not have information on protest marches as mentioned on your letter.

I therefore deem it necessary to share with you protest marches that occurred in Mkhondo and Dr Pixley Ka Isaka Seme Municipalities in 2014. (See attached table)

To further respond to your questions; note that COGTA is mainly a coordinating body when it comes to protest marches and the information below addresses your questions:

- CoGTA coordinated interventions on issues raised during protest marches and the matters were resolved
- The Provincial Operation Centre communicate all early warning matters to relevant stakeholders to avoid protest marches



REQUEST FOR RESEARCH ASSISTANCE

- The Early warning System that has been introduced has reduced the number of protest marches experienced in the province.
- faced by the communities should reach relevant offices without delays, which our Operation Centre come into the space to speed up their referrals.

Thank you,

MS N OYIYA

CHIEF OF STAFF: OFFICE OF THE MEC

DATE

Hon. R.M Mtshweni
MEC for Cooperative Governance and Traditional Affairs
Private Bag X11304
Nelspruit
1200

Dear MEC

SUBJECT: REQUEST FOR RESEARCH ASSISTANCE

My name is Sello Mukhara, the Office Manager in the Office of Minister of Sport and Recreation, Mr. Fikile Mbalula. I am a bursary holder from the Department of Sport and Recreation.

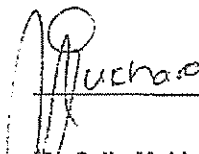
I'm a final year PhD student at the University of Venda. I'm doing a study on the Violent Protests for Services that erupted in Mpumalanga Province between 2008-2010, particularly in Msukaligwa, Mkhondo and Dr. Pixley Ka Isaka Seme Local Municipalities.

Much has been written about the causes of the violent protests. As part of my research methodology, I humbly request the Office of the MEC to assist me with above mentioned questions;

- What assistance did GOGTA provided to the affected Municipalities?
- What measures or remedial actions were put in place to deal with future violent protest for services?
- Has the situation changed thereafter?
- What lessons can we learn for those protests?

Am looking forward to hearing from you about my request.

Yours faithfully,



Mr. Sello Mukhara
Office Manager: Ministry Sport and Recreation
Date: 31 January 2017

20 January 2019

TO WHOM IT MAY CONCERN

I hereby confirm that **MR. SELLO MUKHARI** [Student No. 11611725], a bona-fide PhD student at the University of Venda, approached me with a request to edit his PhD Thesis titled “**Challenges of Service Delivery in South Africa: A case study of Gert Sibande District Municipality (2004-2010).**” The thesis is being submitted to the Department of Development Studies at the University of Venda.

This letter serves as confirmation that indeed, I have read and edited the aforementioned work as requested.

Should you have any question regarding this letter, please do not hesitate to contact me directly.

Yours sincerely

Prof. Bheki R Mngomezulu.



Cell. +27(0)72 351 1947

Email: kizulu@yahoo.com